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ABSTRACT

This interim report on the implementation of Australia's Child Support Scheme and its short-term effects analyzes the entry experiences of a sample of the first 6,000 registered Child Support Agency cases. In November, 1989, after 18 months of operation, commonwealth authorities had established an infrastructure that facilitated the continued registration of old and new cases. Primary data had been collected from prescheme and early scheme samples. Data suggest that savings from 1988-89 that arose out of Child Support Agency collection may approximate 5.6 million dollars. A large proportion of custodial parents were dissatisfied with their maintenance situation before the Child Support Scheme reforms. While most noncustodial parents were happy with their prescheme maintenance liability, the amounts they paid, and the regularity of payment, they were dissatisfied with the courts' enforcement ability to ensure payment and procedures for varying maintenance. In this report, an executive summary is followed by chapters on: (1) the background of the child support scheme and its evaluation; (2) Child Support Agency registrations; (3) findings from earlier studies; (4) child maintenance payments; (5) attitudes to the Child Support Scheme and prescheme maintenance arrangements; (6) the first Child Support Agency registrants; and (7) further research. Forty-eight references are included. (RH)

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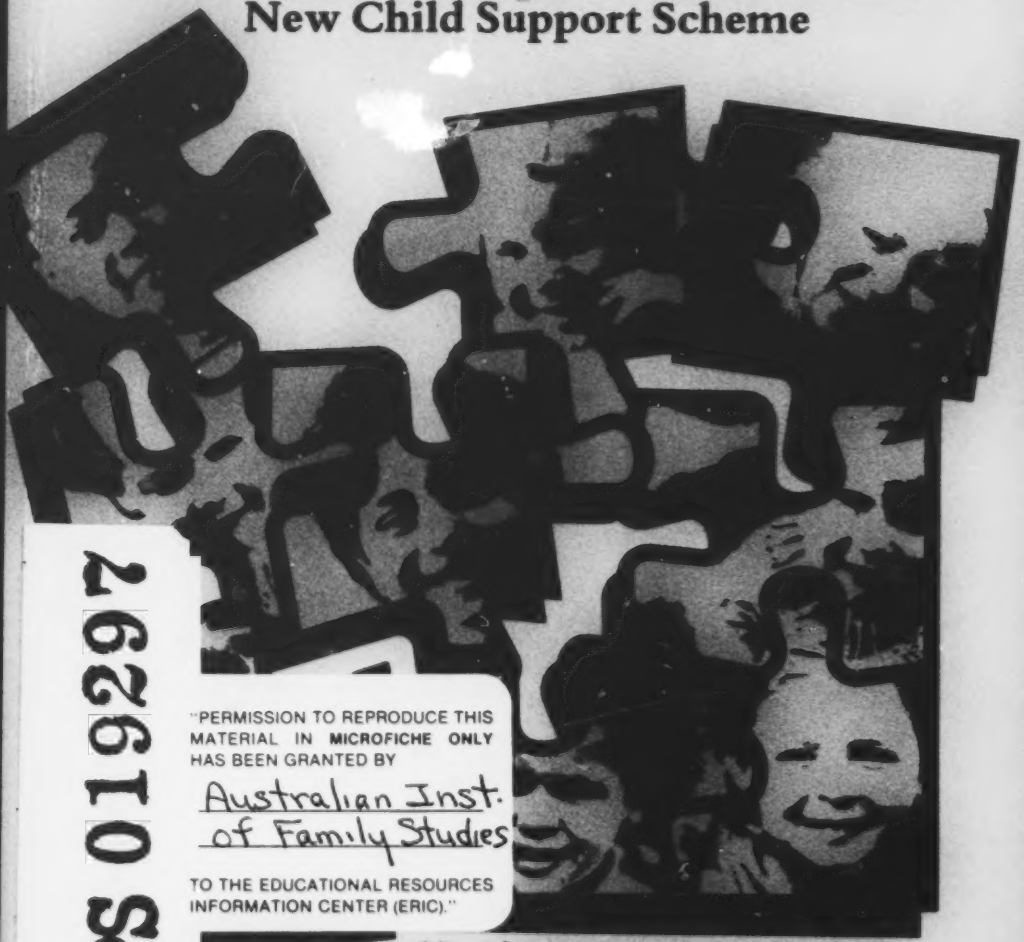
Who Pays For The Children?

A First Look at the Operation of Australia's New Child Support Scheme



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Margaret Harrison, Gregg Snider and Rosangela Merlo

Australian Institute of Family Studies
Monograph No. 9

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ACKNOWLEDGEMENTS

This Monograph is the interim report of the Child Support Scheme Evaluation. It represents an analysis of data collected from parents who were early Child Support Agency registrants, and those who were entitled to pay or receive child support but who were unaffected by the introduction of the Scheme. The Monograph also examines information collected from the Institute's study, *Parents and Children after Marriage Breakdown* on the position of child maintenance in divorced families. The Child Support Scheme Evaluation is longitudinal in design, and further information on the longer term impacts of the Scheme will be available in early 1991.

The Australian Institute of Family studies is grateful for the advice provided by the Steering Committee during the progress of this evaluation. Members represented the Attorney-General's Department, the Department of Finance, the Department of Social Security, the Australian Taxation Office and the Child Support Consultative Group. Officers from the Child Support Agency and the Department of Social Security enabled vital samples to be drawn and respondents contacted in a manner which allowed the project to run smoothly and which ensured confidentiality for custodial and non-custodial parents.

A project of this size is the result of a massive team effort within the Institute. Don Edgar (AIFS Director) and Peter McDonald (AIFS Deputy Director) were involved in all stages of the study. Research assistance was provided by Ian Scott, Joanne Lindsay, Viviana Luccesi and Antonella Zanini, while Sue Girling-Butcher and Judith Foster provided administrative assistance. Editorial Assistant Allyson Trainor prepared the manuscript for publication.

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FOREWORD

In 1987, the Australian Prime Minister promised to attack child poverty on every front. One of those fronts involved a revamp of child-related benefits in the social security system, to address the clear research evidence that families with children, relative to other family types, had experienced declining living standards. A related front was the implementation of the proposed child support reforms, to address the equally clear research evidence that maintenance payments for children were at once too low and too seldom paid at all.

Child poverty clearly has multiple causes, most of which relate to parental income. While people understand that unemployment or low wages can result in poverty, there is less understanding of how large families may suffer even when parents are fully employed, or of how the absence of the contribution of an adult income-earner will be a problem, or of how parental separation in itself causes sudden poverty for many women and children.

The Institute's interest in the issue of child support goes well beyond the realm of family law, court orders or consent agreements about child maintenance and the inadequacy of enforcement of such payments. In the realm of family law itself, some basic social values are at stake, linked inextricably with changes in the rights and roles of women, access to labour force participation and the modern meanings of marriage itself. Concepts enshrined in the *Family Law Act*, such as contributions to the marriage, needs after separation, the best interests of children, community of property and guardianship, are poorly explained and poorly understand in the wider community. Confusing messages are provided, with the law emphasising a clean break after adult relationships break down, with the important proviso that parental relationships with and responsibilities for children should continue, albeit in a somewhat different form.

The notion of no-fault divorce is now well entrenched, though not necessarily accepted by those who object to the unilateral withdrawal of one

partner from a marriage, or whose values place children firmly in a framework of patriarchal 'ownership' and 'honour'. The family law terminology of custody seems by definition to work versus the lesser parental privilege of access, and perhaps undermines the central principle embodied in the law of joint parental responsibility for children. Too often, the issue of child maintenance has been presented and debated publicly as one to do with women, or sole parents, or the feminisation of poverty. Ex-husbands accuse ex-wives of 'spending the money on herself', or of 'not needing the money' because she has remarried, or of denying him reasonable access to the children and thus 'not deserving' maintenance payments. It is not sufficient simply to dismiss such accusations as merely belligerent, for they arise from fundamental misunderstandings of the responsibilities of marriage and parenthood and from the law's failure to assert those responsibilities strongly enough in the past.

The debates of the early 1980s about the functions, inadequacies and aims of the child maintenance system enabled many of the arguments to be carefully analysed. In addition, a number of studies highlighted the growing incidence of child poverty. The Institute's study of the minimal cost of children gave a point of comparison for court-ordered child maintenance amounts. The work of the Social Policy Research Centre and the Australian Institute of Family Studies on equivalence scales demonstrated how living standards varied dramatically across family types. The Institute's major study of the economic consequences of marriage breakdown demonstrated beyond doubt that women and children post-separation were worse off than men, whose relative living standards rose.

The seminal paper by Harrison, Harper and Edwards at the 1984 Family Law Conference drew out the need for a better method of child maintenance assessment and collection using the taxation system. The options expressed in this paper were subsequently examined in more detail by the Family Law Council, a Cabinet Sub-Committee and a Child Support Consultative Group. Their reports spelt out thoroughly the logic of arguments for and against reform, as well as the nuts and bolts of how it might be achieved. The Consultative Group's report strongly asserted the principle of joint parental responsibility and, in its title, removed the limited concept of maintenance and its confusion with spousal maintenance in favour of an ongoing concept of child support. It endorsed the efficacy of a radical new scheme which would increase the actual amounts being paid on the basis of a formula related to the non-custodial parent's income.

In the early stages of the public selling of this Scheme, some unfortunate emphases distorted the debate. There was still too much of a focus on the poverty of women rather than the principle of ongoing joint parental responsibilities for children. There were exorbitant claims made about how much money the proposed scheme would save the Government in reduced social security payments to sole parents, though this doubtless ensured its speedy introduction in a climate of public expenditure cutbacks. There were, inevitably, protests from non-custodial fathers and their groups about

the other side of the coin (custody and access) and, at times, too easy a dismissal of their concerns. There were also protests about the extra burden which might result from employers having to withhold child support from wages and the privacy issues involved. As well, there were concerns on the part of many, especially welfare groups, that the Scheme represented a shift away from government assistance for those in need towards private, family responsibility, and that advance payments were not provided to cover lone-parent families until the full payments were collected. The punitive tone of 'cracking down' on people who did not need government support was alarming.

The Government decided in 1987 to implement the Scheme in two stages, with the first stage concentrating on the collection of existing amounts due via a Child Support Agency, and the second stage building on this by providing administrative assessment using a formula linked to taxable incomes. It also saw the need for a longitudinal study to evaluate the actual implementation of the new Child Support Scheme and its effects.

The Australian Institute of Family Studies was asked to develop an evaluation study proposal which would enable not only a monitoring of those affected by the Scheme and their complaints/difficulties/positive reactions about it, but also the longer-term effects on the living standards of sole-parent families, on female workforce participation and remarriage patterns, on matrimonial property settlements and on parenting arrangements and relationships. Clearly, such effects cannot be measured in a one-off study but require a longitudinal design and a complex sampling approach to reach the variety of circumstances of those affected.

The Institute was in a unique position because of its long involvement in the issues, and its empirical studies. It already had a sample of people who had divorced before the new scheme came into effect, and whose experiences provided a valuable baseline for assessing the financial and other impacts of the proposed reforms. An additional pre-Scheme sample of custodial and non-custodial parents was acquired from Family Allowance records for the evaluation. This sample was essential if any valid comparisons with and attributions of improvements or otherwise to the scheme itself were to be valid.

Much of this Interim Report is based on comparisons between the pre-Scheme sample and the early experiences of those who came on to the new Child Support Scheme, Stage One. The two-staged introduction of the Scheme caused some difficulty, as did access to adequate samples, given the controversial nature of the Scheme itself and the initially complex eligibility criteria. Nonetheless, the study has become one of the largest social surveys ever undertaken in Australia.

No final evaluation of Stage One of the new Child Support Scheme can be made until the Institute has completed the longitudinal follow-up survey with those who formed the pre-Scheme sample, augmented by large samples of Child Support Agency clients. These follow-up studies are already in the field and the final report will be completed by February 1991.

Even then, it will not evaluate the administrative assessment procedures which characterise the Stage Two reforms, and which affect parents separating after 1 October 1989. That evaluation will be conducted separately by the Department of Social Security.

So this Interim Report is being released to give those interested some idea of how the Scheme has been implemented and its short-term effects. One of the most interesting findings is that such a small proportion of parents whose children are entitled to receive support have joined the scheme. It is apparent from the study that in many cases this failure is due to their not having enforceable orders or agreements in place.

Unfortunately, one consequence of the phased introduction of the reforms is that Australia currently has a confused and complex system of child support, with some parents operating under pre-Scheme orders or arrangements, some under Stage One regulations, some under the Stage Two formula, and some still escaping the net altogether.

The Institute believes it is vital there be a comprehensive, longitudinal evaluation of the whole child support system, including the Stage Two reforms when they have had time to settle in. As one of the most significant social reforms undertaken in Australia, it deserves very close scrutiny.

Don Edgar
Director
Australian Institute of Family Studies

EXECUTIVE SUMMARY

Given the significant scope for the direct financial impact of Child Support Scheme Stage One reforms and for potential indirect effects on child rearing, repartnering and opportunities for custodial parents to re-enter the workforce, the Government has asked the Australian Institute of Family Studies to conduct a wide-ranging assessment of the effects of the introduction of Stage One.

This evaluation is based on the assumption that many of the effects of the Stage One reforms will not be immediate but, rather, will take place over time. That is, a proper evaluation will, of necessity, be longitudinal. It therefore must be emphasised that this report is an *interim* report. It presents *pre-Scheme* data which provide benchmarks for such longitudinal analysis, together with an analysis of the entry experiences reported by a sample of the first 6000 registered Child Support Agency cases. It should be noted that these cases are not assumed to represent the Agency's long-term clientele, but were selected primarily to isolate early any potential problems the Child Support Scheme may be facing.

Few conclusions, *per se*, are presented. Those which are must be considered in the light of their interim nature and may, of course, be subject to revision in the Final Report of the evaluation, presently scheduled for the end of the 1990 calendar year.

In that report, data examined here are to be augmented by data acquired from a second round of questionnaires to be sent to pre-Scheme custodial, non-custodial and control group parents in April 1990, and from questionnaires sent at the same time to both parties to several different samples of Child Support Agency registrations and to employers involved in PAYE-like withholding of registered maintenance payments.

This report should not, therefore, be regarded as the evaluation of Stage One; but, rather, as a presentation of benchmark data required by the evaluation for comparison with other data yet to be collected.

Preliminary Observations

1. As at the end of November 1989, after 18 months of the Scheme's operation, 29 793 cases had been registered for collection with the Child Support Agency. Excluding those not currently being collected (for example, suspended, expired, etc.), there were 25 019 *active* cases registered for collection. Seventy-two per cent of cases were in receipt of at least a partial Commonwealth pension or benefit. 23 316 cases were child maintenance registrations; 1450 were for both child and spousal maintenance; 253 were for spousal maintenance only (Chapter Two). An estimated additional 50 000 cases will be registered once agreements have been reached with the States for the transfer of collection agency cases. A further 17 000 court orders or court approved agreements have been made since Stage One commenced but have not yet been registered.

2. Fifty-five per cent of registered custodial parents were not previously receiving child maintenance. That is, at the end of November 1989 some 14 000 custodial parents, responsible for the care of 24 000 children of previous relationships, were receiving maintenance that could be attributed to registration with the Child Support Agency (Chapter Six). A perhaps unidentifiable proportion of cases previously receiving maintenance could have been expected to have had maintenance payment stopped in the future — the ability of the Child Support Agency to enforce continuing compliance will prove beneficial to these families over time.

3. Stage One registrations indicate that amounts of child maintenance awarded from 1979 through early 1988 kept pace with movements in the Consumer Price Index. Since then, there has been an increase of about seven dollars a week per child more than would have been projected on the basis of movements in the CPI. It would not be unreasonable to attibute much of this increase to the Scheme's introduction (Chapter Two).

4. The large number of 'old' orders and agreements registered with the Agency, suggests a continuing disadvantage to Stage One custodial parents who, for whatever reasons, are reluctant to take the court action necessary to update maintenance amounts. One possible way to overcome this problem might be to legislate for an automatic CPI adjustment of 'old' orders registered with the Child Support Agency (for prospective, not retrospective, application). Necessary concomitant provisions for appeal (whether administrative or judicial) would, indirectly, shift the burden of responsibility for maintenance variation from custodial to non-custodial parents who are for the most part better able financially to pursue such variation. Making registration more financially worthwhile, it might also encourage registration of more maintenance liabilities.

5. Several achievements of the Scheme cannot be discounted, including the extreme significance of payment to those custodial parents not previously receiving maintenance, the reduced probability that maintenance will be discontinued for those now registered who were previously in receipt of

maintenance, the creation of the necessary infrastructure to ensure payment for newly separated parents, and the continuing possibility of registration of 'old' separations. Nonetheless, as less than 30 000 of an estimated 500 to 600 thousand custodial parents[1] are having maintenance collected by the Child Support Agency, at this early date the impact of the Scheme has been small.

6. One in four custodial parents reported that no maintenance had ever been sought (Chapter Four). To a certain extent this reflects the length of time they had been separated from their child/ren's other parent (particularly with regard to court-enforceable maintenance): in some cases it reflects the custodial parent's financial ability to seek maintenance through the courts; in others it reflects their perceptions of non-custodial parent reaction. These factors notwithstanding, the children of these parents are, *prima facie*, less well off financially than they should be. Consideration should be given to means by which these parents may be encouraged to seek and register maintenance.

7. Only 34 per cent of pre-Scheme custodial parents reported that they were actually receiving periodic maintenance. Those who were, were receiving on average slightly less than $24 per week per child. Including in the analysis custodial parents who reported receiving no child maintenance, this figure drops to only $8.21 per child per week (Chapter Four).

8. Custodial mothers were significantly more likely than custodial fathers to be in receipt of maintenance (Chapter Four).

9. Maintenance was much less likely to be paid where there was only one child of the previous relationship than where there were two or more. This may well relate to other factors being examined such as the nature of the previous relationship and the length of time that relationship had lasted (Chapter Four).

10. Custodial parents who had been married to their former partners were more than twice as likely to be receiving maintenance than those who had not. It should be noted that since this is true of those married but not divorced, it does not necessarily reflect involvement with lawyers or with courts; but, even if it were to do so, legal activity, while perhaps increasing the likelihood of maintenance, is itself irrelevant to parental financial responsibility (Chapter Four).

11. The likelihood that maintenance was due or paid was greater the longer parents had lived together and less the longer they had been separated (Chapter Four).

12. Generally, the more frequent the non-custodial parent access visits, the greater the likelihood that maintenance would be paid. Against this, only 27 per cent of those reporting daily access also reported receiving maintenance — perhaps reflecting de facto recognition of the costs to the non-custodial parent of 'substantial' access (Chapter Four).

13. The greater the value of family property at the time of separation, the

1. There are approximately 340 000 sole parent families in Australia (see Table 1.2). Approximately 40 per cent of custodial parents have repartnered (see Table a.33 in Snider, 1989d).

greater the likelihood that maintenance was paid (Chapter Four).

14. While the differences were not great, the receipt of maintenance was more likely to be reported by custodial parents living in capital cities than in other major cities and towns, greater still than those living in other (for example, rural) areas (Chapter Four).

Attitudes to the Scheme and to Pre-Scheme Arrangements

15. Custodial parents were generally unhappy with pre-Scheme maintenance arrangements. Those who were registered with the Child Support Agency expressed greater dissatisfaction with pre-Scheme arrangements than did custodial parents not on the Scheme. The receipt of pre-Scheme maintenance resulted in a more favourable attitude toward pre-Scheme arrangements (Chapter Five).

16. On the whole, non-custodians were quite satisfied with the pre-Scheme maintenance arrangements, however, 49 per cent were dissatisfied with the courts' enforcement ability and 59 per cent with procedures for varying maintenance. Greater dissatisfaction was generally expressed by non-custodians *not* complying with pre-Scheme maintenance obligations and by non-custodians registered with the Child Support Agency (Chapter Five).

17. A large proportion of custodial as well as control group parents were in support of the Child Support Scheme. Those already registered expressed a significantly greater level of support than custodians not on the Scheme (Chapter Five).

18. Non-custodial parents disapproved of the Scheme in general. On-Scheme non-custodians were less in favour of the Scheme than pre-Scheme non-custodial parents (Chapter Five).

Early Experiences of Child Support Agency Registrants

19. The Child Support Agency and the Department of Social Security have reported that in many cases where parents have obtained court orders or had agreements approved, neither parent is filing the necessary forms with the Child Support Agency while, at the same time, information provided by the courts is inadequate to provide for Agency tracing (Chapter Six). If this continues, it may be useful to provide for court provision of additional information to the Agency and for the provision of additional information to parents of their responsibilities *vis a vis* the Scheme. As an initial response to this problem, the Child Support Agency has prepared a notice for distribution in the courts.

20. Many custodial parents have expressed concern over the time lag between Child Support Agency registration and the receipt of maintenance (Chapter Six). Where maintenance was previously being paid, this poses particular problems; but even for those not previously receiving maintenance, it prolongs the period for which their children are not receiving support from both of their parents. The Australian Council of Social Service has suggested that a special one-off payment be made to the custodial parent from Consolidated Revenue for recoupment from the non-custodial parent's final payment.

21. Responses of early Child Support Agency registrants as well as reports from social service providers and from legal practitioners suggest a high degree of uncertainty among those to whom the Scheme applies, particularly custodial parents, of how the Scheme actually operates and how it affects them (Chapter Six). Confusion centres primarily around the maintenance/pension relationship and the respective roles of the two agencies operating Stage One — the Department of Social Security and the Child Support Agency. At best, this both suggests and aggravates problems for these two authorities; at worst, it could discourage registration. Better and more widespread information campaigns would seem appropriate. So, too, it would appear, would be a greater public clarification of the different roles played by the Department of Social Security (primarily for custodial parents) and the Child Support Agency (primarily for non-custodial parents). Another way this problem might be addressed would be to centre the workload and responsibility for all client contact in a single agency.

22. When asked directly how satisfied they were with assistance provided by various relevant agencies, only 50 per cent of custodial parents expressed satisfaction with help from the Department of Social Security. This could, in some cases, reflect the anticipated reduction in pensions or benefits as a result of declaring received maintenance, but must nonetheless be seen as suggesting something of a problem for the Department to address. Non-custodial parents' significant dissatisfaction with help provided by the Department may reflect the fact that only about a quarter evaluated any contact with the Department. It may also be due to the fact that the Department's charter with regard to child maintenance does not provide for any assistance to non-custodial parents beyond, perhaps, directing them to the Child Support Agency (Chapter Six).

23. Generally speaking, custodial parents were satisfied with help received from the Child Support Agency. Non-custodial parents were less dissatisfied with help received from the Agency than from the Department of Social Security (Chapter Six).

24. One-quarter of Child Support Agency registered non-custodial parents reported that prior to registration they either had never paid or had stopped paying the maintenance owed for their children. A further one-sixth reported having paid less than the court had ordered or approved. All in all, only 59 per cent reported full compliance. The picture presented by custodial parents is, as would be expected, worse (Chapter Six).

25. This same pattern repeats when the regularity of payment is examined. Of the former couples who were paying/receiving maintenance, 90 per cent of non-custodial parents said payments were usually or always made on time, compared with only 33 per cent of custodial parents (Chapter Six).

26. Including cases where no payments were made, the average amount of pre-Scheme weekly maintenance reported by Child Support Agency registered custodial parents was $15 per family while among non-custodial respondents it was $40. The discrepancy relating to amounts paid also extends to former couples. The gap narrows when examining only cases where something was paid — $37 reported by custodial and $52 by non-custodial parents. These figures suggest that the main point of disagreement may not be how much was paid, but whether anything was paid at all (Chapter Six).

Summary

Perhaps so obvious as to almost escape notice, it is particularly important to note that in the 18 months of the Scheme's operation, an infrastructure has been established by the relevant Commonwealth authorities, (particularly the Child Support Agency and Department of Social Security), which will facilitate the continued registration of old as well as new cases.

Notwithstanding any of the difficulties noted above, it must be said that at this early stage of its operation, the Child Support Scheme is already benefitting thousands of Australian children and their custodial parents while, at the same time, reducing demand on Commonwealth revenue via the Social Security system.

1

BACKGROUND TO THE CHILD SUPPORT SCHEME AND TO THE AIFS EVALUATION

GREGG SNIDER AND
MARGARET HARRISON

Data examined in this report present the following dismal picture of child maintenance payments in Australia prior to the introduction of the child support scheme:

> Forty-seven per cent of custodial parents in Australia, prima facie eligible to receive child maintenance, had none payable to them: about half of these (24 per cent) had never sought it; the rest (23 per cent) had neither an agreement, privately-agreed or court-enforceable, nor an order for its payment.
>
> Nineteen per cent had an order or an agreement for the payment of regular child maintenance but were not receiving it: seven per cent never had; twelve per cent once had but payments had ceased.
>
> Only thirty-four per cent of custodial parents were actually receiving regular, periodic, child maintenance. Those who were, were receiving on average slightly less than twenty-four dollars per week per child.

The Child Support Scheme was introduced to improve this picture — to remedy its inadequacy, poor coverage and inequity. The current evaluation is being carried out to see how well it does so and to see if it may be made to work even more effectively.

This chapter examines the background to the child support reforms, the legislation enacted to implement the Stage One reforms and presents an overview of the work completed and in progress for the Institute's evaluation.

Background

Family Law in Australia has been the subject of extensive reform since the early 1970's — the most sweeping changes being brought about by the introduction of the *Family Law Act 1975*. The Act itself has been the subject

of considerable fine-tuning since its implementation, with discussion and debate focusing on numerous problems facing separated families.

One of the major topics to have been considered centres on the question of child (and, to a lesser extent, spousal) maintenance — its adequacy, equity and regularity.

The new Child Support Scheme has evolved out of this discussion. As with most matters arising from an evolutionary process, and which have a variety of antecedents around the world, it is difficult if not impossible to say just where the debates began. There have been, however, particularly in the last five years, several seminal papers and reports which collectively may be said to have been the most critical to the Scheme's present design.

In 1983 the Family Law Branch of the Attorney-General's Department began its inquiry into maintenance systems. The terms of reference required the team to review the various collection systems operating in South Australia and Western Australia and several overseas countries, with a view to establishing a national agency.

The Report of the National Maintenance Inquiry was published in 1984. Its recommendations included the establishment of a national agency along the lines of that operating in the South Australian Department for Community Welfare. Most of the recommendations in the report focused on the role, siting and cost implications of that agency. However, there was also a recommendation that once the agency was operating, further consideration should be given to (1) the reliance on social security entitlements when maintenance was assessed, and (2) the question of the application of a formula for maintenance assessment.

In late 1984 Harrison, Harper and Edwards presented a paper in which the then current system of assessment and collection of child maintenance was criticised. Problems were identified as including the favouring of men's interests over those of women, and those of adults over children; the failure to separate child from spousal support; and the feminisation of poverty, (given that most custodians of dependent children are mothers). More specific criticisms included the conflicts between social security and family law provisions, difficulties in the collection and enforcement of orders, inadequate amounts of support at both the public and private levels, inequities and disincentives to self support.

The paper was prompted by a concern that issues of quantum and coverage had not been sufficiently addressed in the terms of reference of the National Maintenance Inquiry. It canvassed but ultimately rejected several proposals which had been previously suggested as providing solutions to one or more of the problems identified. These included: making maintenance payments tax deductible, using the Department of Social Security or the Family Court of Australia as the maintenance collection agency, or establishing an independent agency as recommended by the National Maintenance Inquiry Report. The latter was rejected on the basis that it would not increase the number of eligible parents who might receive maintenance, nor would it solve the problem of the awarding of inadequate

amounts. The recommended solution was the establishment of a system of child support payments based on a tax recouped through the taxation system.

The benefits of a child support tax were seen as being: equity — as payments would be directly related to income, and therefore to ability to pay; efficiency — as greater numbers of children would be included; flexibility — as fluctuations in income could be taken into account; reliability — as payments would be made regularly, and income would be assured.

Other important characteristics of the proposal were that it could operate for all children equally, whether they be from first or later relationships, and born nuptially or ex nuptially; it would remove the bitterness and stress associated with bargaining over money; and administrative costs could be kept down by using existing systems.

In effect, for those to whom both Stage One and Stage Two apply (those who separate after 1 October 1989 and those with child/ren born after that date), the new Child Support Scheme is a system for child support taxation — Stage One transfers the liable parent's financial responsibility (where maintenance is court-enforceable) from the other parent to the Commonwealth through the taxation system (for dissemination through the social security system — thereby allowing, where appropriate, for a reduction in social security payments); Stage Two provides for the administrative assessment of maintenance levels.

A number of major issues have been examined since the subject of a child support tax was originally proposed. These have included the identity of the collecting and disbursing authorities, as well as details associated with the nature of the formula itself. Such details include:

- what proportions of income should be applied for the support of differing numbers of children;
- whether gross or net income should be the base;
- whether allowances should be made for subsequent dependent partners or step-children;
- whether amounts payable should vary with children of different ages;
- when (if ever) the income of a custodial parent should be taken into account;
- whether the formula should apply to incomes above or below a certain level;
- how lump sum payments (and, in particular, transfers of matrimonial property) should be dealt with;
- to what extent should the formula be mandatory — for pensioners, parents separating on or after a particular date, or only where there has been a default.

The role of private agreements and the appeal process have also been debated.

In late 1985 the Family Law Council published the Report of its Maintenance Sub-Committee. The Report endorsed the idea of formula assessed

maintenance based on the disposable income of the non-custodial parent, after deductions for income tax, the medicare levy, superannuation and an amount for basic living expenses. It recommended that the Tax Office should collect and enforce the payments, that there should be a guaranteed minimum payment made to all sole custodial parents, that there be no additional income test for money received as child maintenance, and that the Department of Social Security act as the paying Agency.

It is probably fair to say that at this stage of the discussion, attention was focused primarily on the question of a formula and then on other, particularly economic, concerns such as a minimum guaranteed child support payment and offset savings the government might make from increased maintenance payments. It was generally assumed that location, collection and enforcement would flow more or less automatically from the use of the taxation system. The question of the scope of the scheme's application was guided primarily by principles of social justice rather than social welfare — that is, application should be universal rather than limited to those receiving pensions or benefits.

The question of the Scheme's scope of application was, however, beginning to become one of the central questions requiring resolution. Soon after the Family Law Council Report was published, Edwards, Harper and Harrison defined clearly the central issue about the scheme's coverage in a paper presented to the Third Australian Law and Society Conference:

> If the purpose of reform of the system is to save revenue by reducing government expenditure on pensions and benefits, then it is more likely to cover only pensioners and beneficiary custodial parents. ... If, however, the prime objective of reform of the system is that of equity ... then the case for inclusion of non-pensioner custodial parents is much stronger. (Edwards, Harper and Harrison 1985: 26)

This approach was adopted by the (Commonwealth) Cabinet Sub-Committee on Maintenance in its report of October 1986.

This sub-committee strongly recommended that the Scheme *not* be restricted to social security recipients, on the premise that all children have a basic right to share in their parent's income, regardless of the pension status of the custodial parent, and that to restrict the reforms to a certain population would create two systems.

One of the Family Law Council recommendations was that the proposed child maintenance system should be phased in over a period of two years, during which time all existing orders would be converted to the new levy system. The Council recommended that where property settlements or non-periodic amounts had been made in lieu of periodic maintenance, variations could be made.

Ultimately this retrospective approach was rejected. In a Parliamentary Statement made in March 1987 the Minister for Social Security announced that the Scheme would be open to new cases, those already registered for collection with existing agencies, and pensioners or beneficiaries. A news release issued just before the Parliamentary Statement announced that

public consultation following the release of the Cabinet Maintenance Sub-Committee Report had led the government to the decision that the Scheme should be introduced in two stages.

In May 1987 the Government appointed the Child Support Consultative Group to advise it on a formula which would form the basis of assessment of child maintenance. The Group's report, *Child Support: Formula for Australia*, was forwarded to the Minister for Social Security in May 1988.

The report made recommendations on (inter alia) the formula percentages to be applied, the definition of income, appeal provisions, the treatment of non-periodic payments and the role of private agreements in the proposed new scheme. Nearly all the Group's recommendations were accepted, and subsequently enacted in the *Child Support (Assessment) Act*.

Stage One — implemented in April and June 1988, extended in April 1989 to all custodial parents with court-enforceable maintenance — is the subject of the current evaluation. It involves primarily the establishment of a collection and payment system. In addition, it makes provision for some increase in maintenance levels and a reduction in the public payment of 'guaranteed minimum support'.

Stage Two — implemented in October 1989 (and restricted to new cases) — introduces a formula for the administrative assessment of maintenance, with the provision for annual review, to take account of fluctuations in taxable income and family composition. Stage Two, however, is beyond the scope of the current evaluation except insofar as Stage One has introduced the necessary collection mechanism for Stage Two's operation.

Legislation

Stage One required the promulgation of the *Child Support Act 1988* (since October, 1989, called the *Child Support (Registration and Collection) Act*) and amendments to three existing pieces of legislation: the *Family Law Act 1975*, the *Social Security Act 1947* and the *Veterans' Entitlements Act 1986*.

The *Family Law Act* amendments came into operation in April, 1988. Among other changes were included detailed provisions relating to the separation of child maintenance from other responsibilities, and its priority over such responsibilities. The intention of the provisions which effected these and other amendments was to increase the amounts of child maintenance ordered or approved by the courts. The issues of quantum and parental responsibility were also addressed in the prohibition of the reference to an income tested pension, allowance or benefit when maintenance is being assessed. The amendments also implemented the references of power over ex nuptial children from New South Wales, Victoria, South Australia and Tasmania.

The Social Security and Veterans' Entitlements (Maintenance Income Test) Amendment Act 1988 required all new recipients of sole parents' pensions to take all reasonable action to obtain appropriate maintenance. All existing

recipients with an order or agreement less than three years old and which would affect their rate of pension are required to register with the Agency. Exceptions are allowed where there is a reasonable fear of violence or concern for the health or safety of the child/ren.

This Act also introduced a new income test on maintenance income for pensions and benefits (all income-tested pensions and benefits except Family Allowance — not just sole parent pensions). Pensions and benefits are reduced by fifty cents for every dollar of maintenance received above a threshold of $15 per week for the first child (or if spousal maintenance only is received) and $5 a week for each additional child. Lump sums and capital transfers in lieu of maintenance are converted into weekly maintenance values for the purpose of maintenance income testing.

The *Child Support Act* established the Child Support Register within a section of the Australian Taxation Office known as the Child Support Agency. It provided that periodic child and/or spousal maintenance payable under an order or court approved agreement and registered by the Child Support Registrar becomes a debt due by the payer to the Commonwealth. Several methods of collection are permitted, but the Act's stated primary method is automatic withholding from employees by employers, in a similar manner to PAYE tax instalments. Where this is not applicable direct monthly payments to the Child Support Agency are required. Once the liability is registered, the payer is not permitted to make payments to the payee, and the payee cannot initiate proceedings against the payer for any irregularities in payment. Money collected by the Child Support Registrar is paid to the payee by the Department of Social Security. The Act also contains provisions covering penalties for non-compliance, appeals, and the circumstances in which opting out is permitted.

The Act's scope was restricted by regulations which were effective from June, 1988 to April, 1989. These regulations restricted the population of parents eligible to use the collection mechanisms of the Child Support Agency to:

- separations after the implementation date (that is, 1 June 1988);
- where the parents have not cohabited, to children born after that date;
- all cases in which the payee (that is, custodial parent) is in receipt of an income-tested social security or veterans' pension or benefit;
- cases in which the order or agreement has been lodged for collection with a State or Territory collection agency or court.

The Evaluation

The Institute's Child Support Scheme Evaluation grew out of discussions with the Hon. Brian Howe, Minister for Social Security as chairperson of the ministerial sub-committee on maintenance, and with officers of the Department of Social Security. Documented research proposals evolved from one submitted in March 1987. As it has been progressively refined,

three substantial methodological changes have been made: from a medium-sized sample to a large sample; from use of court-based records to Family Allowance and Child Support Agency records as sources of potential respondents; to mailed questionnaires rather than face-to-face interviews. These are discussed elsewhere in this Chapter.

The basic aims of the evaluation, however, have not changed since the Institute's proposal of 21 October 1987 (which elaborated but did not significantly alter those put forward initially in March). Scheduling of Stage One and Stage One amendments, the timing of which had not yet been fixed, has, however, rendered redundant certain of the original aims. Restriction of the study to two rather than three mailouts limits considerably examination of such middle-to-long-term processes as repartnering and re-entering the workforce.

As elaborated in that proposal, the research questions to be examined as part of this Stage One evaluation are discussed below.

(1) 'To measure the impact of the new scheme on the personal and household incomes of both the custodial and non-custodial parents. This analysis would include an examination of the changing structure of the two households related to repartnering, the birth of new children and so on.'

Personal and household income questions were incorporated into the first pre-scheme questionaires and will be included in the next mailout. The best source of information on income changes will involve comparison of these two sets of data. To the extent that pre-scheme respondents have registered with the Child Support Agency, such comparison will enable assessment of the scheme's impact. For on-scheme respondents interviewed only once, estimates will have to be made by combining income, pension and maintenance data. Limitations of the time frame funded for the evaluation will, of course, limit the extent to which the CSSE will be able to examine directly the changing structure of the two households; but, rather, will need to rely on respondents' views of how they think the scheme is likely to affect this aspect of their lives.

(2) 'To assess whether changes in the levels of child support orders are related to changes in legislation or procedures relating to social security entitlements.'

The way in which Stage One amendments were introduced — simultaneously to set aside consideration of social security entitlements and to establish the primacy of responsibility for the child(ren) of broken partnerships — virtually nullifies this aspect of the evaluation. As part of a *longitudinal* Stage One evaluation it might be possible to examine the extent to which the formula is adopted (that is, 'legislation' rather than 'procedures relating to social security entitlements') when orders are varied or new orders are sought for 'old' cases.

(3) 'To assess the impact that the new scheme may have on property settlements and on irregular or lump-sum child payments such as school fees, medical expenses and so on.'

Representative on-scheme respondents will be asked directly how such payments were affected.

(4) 'To consider the effects that the new scheme has on the numbers and amounts of social security payments, the impact of the income tests on child support and on earned income, and the work incentives or disincentives of the scheme.'

The Department of Social Security is itself assessing effects of the scheme on the numbers and amounts of social security payments. To the extent that this information is available, it will be considered in light of data independently collected as part of this evaluation. The impact of the income tests and earned income will be assessed as part of (1) above. A set of questions surrounding the issue of work incentives and disincentives will be included in the Wave II questionnaires.

(5) 'To examine the impact of the scheme on broader aspects of parenting. As is often stated in the public discussion of the Child Support Scheme, the relationship between parents and children is not simply, or even primarily, a financial relationship . . .'

As with repartnering questions, restriction of the longitudinal design to two mailouts will limit consideration of this issue considerably. Various items directly relating to problems with joint parenting were, however, included in the pre-scheme questionnaires and will be repeated for both pre-scheme and on-scheme respondents at Wave II. Use of the pre-scheme sample as a comparison group should help shed some light on this subject.

(6) 'To consider key differences across the population such as:

- social security recipients and others;
- nuptial and ex-nuptial cases;
- orders from magistrates' courts and the Family Court;
- cases included in the scheme, those who opt out of the scheme with an order, and those who are not in the scheme and do not have an order;
- State differences especially between South Australia and Western Australia (which have collection schemes at present) and other States;
- differences by living arrangements of the children, in particular according to which parent they are living with;
- rural-urban differences;
- differences according to the relative income levels of the two parents'.

Items have been (for example, see Chapter Four) and will continue to be included in questionnaires which enable such comparisons to be made.

(7) 'To make estimates of savings in social security payments. This would be done in association with the relevant officers in Departments. It will then be possible to examine the costs to the Government of running the scheme in relation to the cost savings in social security payments.'

To an extent, this is being done already (for example, see Chapter Two) and will continue to be done as a regular part of the evaluation.

(8) 'In addition, it may be considered necessary to assess the impact of the new scheme on employers. This would involve any impact on employer-employee relations and administrative difficulties.'

As noted earlier, a special Wave II questionnaire will be sent to employers involved with the scheme in April of this year.

One other area for examination, suggested by the analysis presented in Chapter Six and in Reports of both the Australian Council of Social Service and the Law Institute of Victoria, is that of the provision of service: the availability of information provided about the scheme, its usefulness, sources of help. Since this was not seen as a major issue at the time of the initial evaluation proposal, it was not included in the list of matters to be considered and was only superficially treated in the early entrant questionnaire designed. This clearly will need to be an area of detailed examination in Wave II questionnaires.

The Explanatory Memorandum to the Child Support Bill 1987 sets out the 'overall objectives' of Stage One — 'to ensure that:

- non-custodial parents share the cost of supporting their children, according to their capacity to pay;
- adequate support is available for children of separated parents;
- Commonwealth expenditure is limited to what is necessary to ensure that those needs are met;
- neither parent is discouraged from participating in the work force; and
- the overall arrangements are simple, flexible and respect personal privacy' (p.2).

Any evaluation of the extent to which Stage One meets these stated objectives must have regard to the fact that, while designed to overcome many of the problems faced by custodial parents and their children, Stage One by itself is designed only as a partial remedy.

In a Briefing Kit issued in March 1988, the Department of Social Security set out five specific aims of Stage One, to:

- 'Substantially increase the number of sole-parent families receiving child maintenance payments.[2]
- Provide an effective mechanism for court orders for child maintenance to be enforced.
- Help ensure maintenance payments are received regularly and on time.[3]
- Provide for more adequate levels of maintenance payments to be set in Court maintenance orders made after the start of the scheme.
- Relieve taxpayers of a substantial burden, by ensuring non-custodial parents accept a fair share of financial responsibility for their children. It is estimated that by 1989–90 the net savings to the taxpayer will be $192.8 million per year' (p.1).[4]

Clearly, an evaluation of the impact of such fundamental legislative and administrative changes as those involved in the introduction of Stage One must address the extent to which the Government's stated objectives are

2. Prima facie, it should also increase the number of re-partnered custodial parents receiving child maintenance.

3. Pre-scheme, monthly payment of weekly maintenance was normally acceptable; those with maintenance awarded in advance, however, will receive maintenance one month in arrears.

4. Estimates of savings used were subsequently reduced.

met. For the most part, Department of Finance guidelines already make this the responsibility of appropriate Commonwealth Departments. In certain respects, privacy legislation, guidelines and procedures make some of this information available only to those Departments. To the extent that the Institute may make an independent contribution to such evaluation, or perhaps present alternate views of available information, it will be done as part of the evaluation. To the extent that relevant Government authorities have made available their information and conclusions, they too will be examined.

A thorough evaluation, however, must go further than this — it must attempt to assess both intended and unintended consequences and both direct and indirect effects. Research must be guided not only by Ministerial and Departmental statements of objectives, but also by observations made during the debate leading to the reform and any other information available to those carrying it out.

It is reasonable, for example, to assume that in some cases the financial re-involvement (where maintenance previously was not being paid) of the non-custodial parent with his/her former children and partner may lead to additional contact with them — with the potential both for good (for example, joint parenting) and bad (for example, physical or emotional abuse or harassment). On the other hand, some respondents to a national survey conducted for the Department of Social Security by The Market Research Workshop in April and May 1988 suggested that the new scheme could 'keep parents at arm's length/no need to deal with each other'. (Bright 1988: Table 2) Proper examination of these competing views requires longitudinal analysis. Data collected for the evaluation suggest that, in the larger context, neither is likely to hold true: while contact and the payment of maintenance significantly covary, they would not appear to be causally related; but, rather, to result from some more amorphous factor such as 'psychological distance' from the former relationship/children of that relationship. (The Center for Demography and Ecology at the University of Wisconsin-Madison similarly concludes that 'visiting and paying support are . . . complementary activities', rather than being causally related, Seltzer, *et al.*: 1988, 1.)

On a completely different plane, Harrison *et al.* (1984) suggest that a proper child maintenance system will reduce the proportion of women in poverty. Certainly, the fact that ninety-nine per cent of early Stage One registrants were female lends support to this idea. On the other hand, custodial fathers have, pre-Scheme at least, been much less likely than custodial mothers to seek maintenance — to the extent that they fall into one of the pensioner groups required to seek maintenance, they, too will have benefitted from Stage One. (Stage Two, providing for administrative determination and registration, may actually impact more favourably on custodial fathers as a group than custodial mothers. Against this, however, they constitute only about ten per cent of all custodial parents and an even smaller percentage of custodial parent pensioners.)

Also, the greater financial independence of custodial parents could in time lead to a greater incidence of repartnering. At the same time, any new relationship of non-custodial parents could be disadvantaged, as could be the prospect of their forming new relationships (notwithstanding the fact that financial responsibility is more equitably distributed).

Voluntary contributions unknown to the Department of Social Security ('sweetheart deals') could reduce or be terminated, as could other, legitimate, periodic or non-periodic maintenance payments.

The new provisions for treatment of lump sum and property transfers made in lieu of maintenance could conceivably alter the way parents choose to divide their property after separation. Against this, however, property transfers directly affect maintenance obligations in only a small proportion of cases.

Sources of Information

The Institute's evaluation of Stage One involves three levels of analysis:

- the primary analysis of data collected by the evaluation team for the specific purpose of the evaluation;
- secondary analysis of data initially collected for other purposes, but which are relevant to the current evaluation; and
- tertiary analysis of reports of others who have also examined aspects of the scheme's impact.

Tertiary Analysis

Department of Finance guidelines require that relevant Commonwealth Departments evaluate the effectiveness of programs they administer. To the extent that information will be available on Departmental evaluations, it will be presented in the 1988–89 Annual Reports of the Australian Taxation Office (for the Child Support Agency) and the Department of Social Security. Relevant information should also be available in the Annual Report of the Attorney-General's Department.

The Child Support Consultative Group was established, inter alia, to 'monitor the impact of Stage One'. (The Hon. Brian Howe, Minister for Social Security, Parliamentary Statement, 24 March 1987). A major report of that Group was released in January, 1990, too late to be considered in detail in this report. It will be examined more fully in the final report.

Secondary Analysis

In 1984 and 1987 the Institute collected data from a panel of divorced parents for its studies of the 'Economic Consequences of Marriage Break-

down' (ECMB) and 'Parents and Children After Marriage Breakdown' (PCMB). Reanalysed, these data provided for early evaluation of certain potential effects of Stage One. These data have already served as the basis of several preliminary reports and are reassessed in Chapter 3.

The Child Support Agency maintains a Register of court-enforceable child and spousal maintenance orders and agreements. Generally speaking, this information is kept so that the Agency may collect registered maintenance from non-custodial parents (payers) for deposit in the Trust Fund drawn upon by the Department of Social Security for payment to custodial parents (payees). Some of this information, however, is of particular significance for evaluating the child support scheme. Registration data as at March and August 1989 have been examined in preliminary reports. Data as at the end of November 1989 are examined in Chapter 3 of this report.

Primary Data

The Australian Institute of Family Studies, set up under the *Family Law Act*, commenced operations in February 1980. During the ten years that have elapsed since then the Institute has emphasised its role as collector and analyst of primary data sets — by conducting its own surveys into factors affecting marital and family stability in Australia and by disseminating the findings of these studies to Government, other bodies concerned with family wellbeing and to the public. This tradition, its statutory responsibilities and its independence as a Statutory Authority situate the Institute ideally to carry out those aspects of the child support scheme evaluation not already required of the Department of Social Security, the Child Support Agency and other Government Departments — that is, that wide range of matters which may be best addressed by collecting information directly from those most likely to be affected by child support reforms. While reporting where relevant the findings of secondary and tertiary analysis, the bulk of the evaluation will derive from this primary analysis.

This, interim, report examines data from two different sets of respondents: a pre-Scheme sample of custodial parents and, to the limited extent they were identifiable, their former partners as well as a control group of parents who, for the most part, are either in their first relationship or who have no children from a previous relationship; and a sample of early entrants to the child support scheme. The pre-Scheme and control samples provide benchmark data and, over time, will provide information on such crucial factors as entry to and exit from the scheme. The early entrant sample respondents were interviewed in order to provide a reasonably early assessment of any 'teething' problems faced by the Scheme. It is not assumed that this sample will be representative of the long-term population of Stage One registrations since: (a) the bulk of cases picked up when state collection cases are transferred to the Agency are not included in this sample; (b) this sample was drawn prior to the April 1989 repeal of the

restrictive Child Support Regulations; and (c) the balance of 'new' versus 'old' cases may well be a function largely of early administrative procedures.

The final report, scheduled to be submitted by the end of 1990, will also incorporate data acquired by recontacting the pre-Scheme and control parent samples, a new sample of registrants to be drawn when a sufficient number of cases is registered with the agency to assume a fair representation of their prospective client base (on current projections, about April 1990) and a sample of employers involved in the PAYE-like withholding of maintenance payments.

Sampling

Following the Minister's March 1987 statements announcing the Government's intention to legislate for the introduction of the child support scheme, but well in advance of legislation, the Institute had preliminary discussions with the Child Support Consultative Group (responsible inter alia for ensuring Stage One's evaluation) and with the Minister and his Department about how an evaluation might best be conducted.

The initial research design for this study envisaged face-to-face interviews with around 1200 pre-Scheme respondents (600 former couples). These were to be drawn from Court records of current cases. Similarly, an on-Scheme sample was to be drawn from Child Support Agency records.

During the six months following submission of that first proposal, consideration of the availability of respondent names and addresses, together with the need to ensure early reporting, recognition of the fact that large samples would be required for the authoritative examination of small but substantively significant groups within the custodial and non-custodial parent populations and the need to ensure that the samples were representative of those populations dictated two main changes in the initial design:

- the use of Department of Social Security Family Allowance records rather than court records as a source of pre-Scheme custodial parent names and addresses and the reliance on custodial parent respondent reports to identify and locate their former partners (similar difficulties do not present themselves for on-Scheme sampling); and
- the use of mailed questionnaires rather than face-to-face interviews with both pre-Scheme and on-Scheme respondents.

Use of Family Allowance Records

The initial design proposal highlighted certain difficulties which could be encountered during the selection of an appropriate pre-Scheme sample, in particular, '*representativeness of the sample* will be a crucial aspect of the selection of a sample frame.' ('A Proposal for the Evaluation of Stage One

of the Government's New Child Support Scheme', 21 October 1987, p.8 — emphasis added). The initial proposal noted that a sample drawn from Court records would need to be augmented to account for the numerous cases which never reach the Court — solicitors' and Legal Aid records were possibilities. But even augmented by cases drawn from such records, many cases would still remain outside the scope of such a sampling frame. The probable cost to representativeness of using court-based records was ultimately deemed to be too high.

Use of regulatory powers under the *Child Support Act* to limit application in the first instance to new cases, collection cases and pensioners suggested a need to ensure an adequate pensioner component of the pre-Scheme sample — in effect, this would have required a larger sampling time frame and would have further jeopardised representativeness since pensioner custodial parents presumably are less likely to have entered the legal/judicial system than are non-pensioner cases. Further consideration of the difficulty of access to court records (geographically scattered and not maintained in any single consistent form), suggested that other possible sample sources be considered.

Anticipating such problems, the initial design suggested that possible alternatives might include Department of Social Security Family Allowance or Supporting Parent Benefit/Widows' Pension records. Discussions with the Department established that this would prove suitable. Administrative considerations led the Department to suggest the use of Family Allowance records. Methodological considerations supported this approach — not only would it be possible through the use of 'flags' in their computer system to identify — and thus oversample — probable custodial parent pensioners, but it would also allow the drawing of a sample of non-pensioner custodial parents from the same source.

It is appropriate here to make a fairly simple observation — but significant since it seems often to be overlooked. Even though Regulations — since repealed — initially restricted the application of Stage One, it has never been limited to those in receipt of income-tested pensions or benefits. Examination of pre-Scheme data suggests that about ten per cent of those eligible under the initial regulations were *not* pensioners. Data made available by the Child Support Agency reflecting registrations to the end of March 1989 show that some twenty-three per cent of those actually registering when the Regulations were still in force were not pensioners. It would appear on the basis of these figures that eligible non-pensioners have been more likely than pensioners to take advantage of the opportunity to register with the Agency. In light of such data, to have restricted analysis to pensioner custodials or to have inadequately sampled non-pensioners would not only have called into question the current evaluation, but also would run the risk of appearing to exaggerate the scheme's social security aspects while understating its wider importance as an instrument of social justice. Further, subsequent repeal of the Regulations would have called into question the sample's usefulness for longitudinal analysis. In addition, use

of Family Allowance records made it possible with minimal additional expenditure to gain access to a control group of respondents — that is parents to whom child maintenance arrangements were not then relevant.

Use of a Mailed Questionnaire

Both Department of Social Security and Child Support Agency records are confidential to the extent at least of personal identification. It would, therefore, be improper for either organisation to sample their records and provide a third party (for example, the Institute) with lists of names and addresses of their clients. Consequently, two basic approaches were available to interviewing those sampled on the Institute's behalf by each of these organisations.

- They (DSS and Child Support Agency) could mail invitations to potential respondents on the Institute's behalf, asking their clients if they wished to participate in the evaluation. Those who wished to do so could reply direct to the Institute, providing their names and addresses, and, in turn, be contacted and interviewed in person.
- Alternatively, a mailed questionnaire could be posted in the first instance to all those sampled for reply direct to the Institute if the recipient wished to take part.

The first of these options would have the advantage of allowing more thorough questionning of interviewees on sensitive matters about which they might at first be reluctant to respond (in particular, income-related questions are generally thought to be more amenable to face-to-face interviewing).

Against this, a considerable time lag would be introduced by such a two-stage approach, it would prove far more costly and would necessitate for the pre-Scheme sample — due to the difficulty in locating appropriate target populations from Social Security records alone — a large first round mailout the sole purpose of which would be to isolate potential respondents. Moreover, requiring potentially willing respondents to agree to participate on three separate occasions (when replying to the initial inquiry, when contacted to arrange a suitable time for interview, and at interview) would increase the risk of sample attrition and attendant sampling bias.

The second option — using the initial mailout to obtain information from respondents — would produce data earlier, by doing so would give greater meaning to the notion of a pre-Scheme sample, could be expected to provide a more representative sample, and would be less costly. (Using the initial mailout to collect data rather than merely identify potential respondents resulted in a pre-Scheme custodial parent sample of some three and a half thousand custodial parents of whom only sixteen were already registered with the Child Support Agency.) Against this, as a less sophisticated interviewing technique, questions could be raised about the

adequacy in general of mailed interview techniques.

Stratification considerations — particularly the need, pre-Scheme, to sample separately pensioner and non-pensioner custodial parents and the need to include enough male custodial parents — made it increasingly obvious that the second option was by far the more cost-effective and cost-beneficial.

Access to a known pilot sample — the Institute's ongoing panel of divorced parents used in its 'Economic Consequences of Marriage Breakdown' and 'Parents and Children After Marriage Breakdown' studies — provided the opportunity to assess potential difficulties with the mail approach. As reported earlier for this evaluation, (Snider, 1989) meaningful results were found to be available from the use of mailed questionnaires, while comparison of self-completed responses with those provided in fairly recent face-to-face interviews demonstrated sufficient consistency to satisfy the Institute of the efficacy of using mailed questionnaires.

The Pre-Scheme Sample

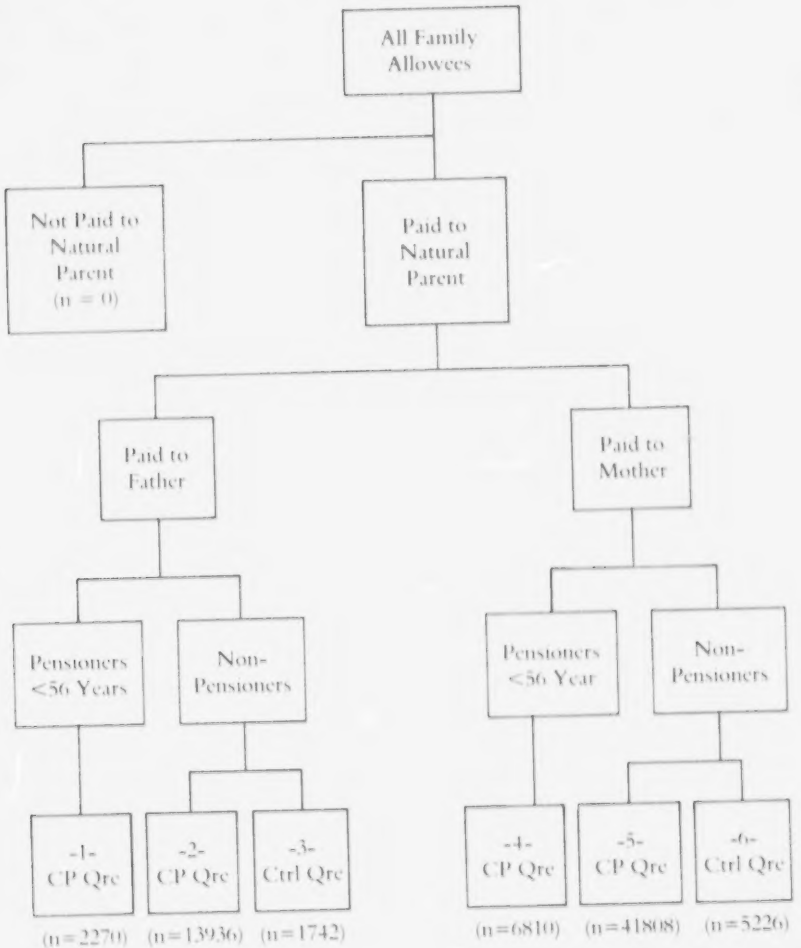
The need to have a representative sample of both pensioner and non-pensioner custodial parents arose out of the initial restrictions on the scope of the scheme's application to non-pensioners.

In addition, earlier studies of child maintenance have often suggested significant gender differences in relevant attitudes, behaviour and circumstances of both custodial and non-custodial parents. Relatively small sample sizes, combined with the fact that ninety per cent of custodial parents are female, have made it difficult, however, to explore these differences. While the child support scheme may have been largely intended in the first instance to redress an imbalance (usually to the mother's disadvantage) the fact remains that the scheme itself impacts both upon fathers and mothers (and on both custodial and non-custodial parents). It was imperative, therefore, to ensure that the pre-Scheme custodial parent sample included a sufficient number of male respondents to be able to make meaningful statements about any gender differences which might be found.

Arising out of these considerations and following discussion with officers of the Department of Social Security and with others of the feasibility of locating potential respondents, three primary target groups were isolated: pensioner custodial parents, non-pensioner custodial parents and a control group of other parents which, while potentially containing a small number of non-custodial parents, would for the most part consist of parents with children only from their current relationship. One in every four names/addresses to be sampled by the Department of Social Security were to be of male Family Allowees. Through the use of an introductory screening question, a 50-50 split was sought between male and female control group respondents.

Figure 1.1 presents the sampling frame worked out in conjunction with

Figure 1.1: Pre-Scheme sampling frame



the Department of Social Security. Six strata were targeted for interviewing. Four of these were to receive questionnaires designed for custodial parents. Two of these were to receive general — control — questionnaires.

The questionnaires were distinguishable in three respects. Custodial parent questionnaires were to be completed only if the recipient was 'the mother or father of a child aged less than 18 [living in the] household and whose other parent lives somewhere else' while control questionnaires omitted the words in bold print; control group parents were directed to skip the section of questions relating specifically to the circumstances of separated families; and, recipients of control questionnaires in two parent families were asked to have the parent whose birthday fell earliest in the year to fill it out (in order to secure a reasonable number of male respondents from families in which the female partner almost always is the Family Allowance recipient).

Table 1.1 presents information on the response rates of each of the individual strata. In-scope response ranged from a low of 23.6 per cent of male custodial parent pensioners to a high of 35.0 per cent among female non-pensioner custodial parents. Since these response rates, however, are themselves based only on estimates of the actual number of Family Allowees of each of the sample's targeted groups, it would be inappropriate to make too much of a point of variations in response rates or their absolute values.

In general, it can nonetheless be noted that: (a) the overall response rate is about 30 per cent; and (b) a sufficient number of respondents are available in each of the targeted parent groups to allow comparison of pensioners and non-pensioners and of males and females.

Conservatively, the overall sampling error (measured as the standard error of an estimate of a proportion of .50) is no greater than plus or minus three per cent.

Table 1.1: Response rates for sample strata

	Sampling Group				
	1	2	3 & 6	4	5
Custodial parent?	Yes	Yes	N/A	Yes	Yes
Pensioner?	Yes	No	No	Yes	No
Sex?	Male	Male	N/A	Female	Female
Number mailed	2270	3936	6968	6810	41808
Estimated % in scope	70	10	100	70	10
Estimated N in scope	1589	1394	6968	4767	4181
Returned in scope	375	412	1663	1249	1462
Standard error (.50)	.026	.025	.013	.014	.014
Response rate (%)	23.6	29.6	23.9	26.2	35.0
Received not in scope	10	129	N/A	30	906
Total received	385	541	1663	1279	2368

Note. An additional 55 responses were received but failed to indicate the respondent's sex.

Table 1.2: Stratification effects on sample composition

	Population				*Sample*			
	Family Allowee			Custodial				
	1985	1988		parent	Family allowee		Custodial parent	
	(N)	(N)	(%)	(%)	(N)	(%)	(N)	(%)
Sole parent families	316 400	338 331			2802		2727	
Female pensioner recipient	249 100	271 136	13.9	47.6	1353	21.8	1334	35.8
Male pensioner recipient	14 500	13 732	0.7	2.4	382	6.2	368	9.9
Female non-pensioner recipient	29 900	32 545	3.7	5.7	693	41.2	679	18.2
Male non-pensioner recipient	22 900	20 918	1.1	3.7	374	6.0	346	9.3
Two parent families	1 884 400	1 608 722			3397		999	
Female recipient		1 608 722	82.6	36.7	2892	46.7	880	23.6
Male recipient		0	0.0	3.9	505	8.1	119	3.2
All families	2 200 800	1 947 053	100.0	100.0	6199	100.0	3726	100.0
Female recipient		1 912 403			4938			
Male Recipient		34 650			1261			

Notes: 1985 population data derive from the Social Security Review Issues Paper No.3, pp.32, 33 and 40.
1988 population data, *not underlined*, were provided by the Department of Social Security.
Underlined 1988 population data are extrapolated.
Sample percentages exclude 92 cases for which insufficient data were available. Custodial parent population estimates assume ninety per cent are female and that fifty per cent are sole parent pensioners.

Weighting

In general, the weighting procedure employed for pre-Scheme data is analogous to that used for the ABS 1986 Income Distribution Survey: 'Estimates derived from the survey were obtained by using a complex ratio estimation procedure which ensures that survey estimates conform to an independently estimated distribution of the population . . . rather than to the . . . distribution within the sample itself.' (ABS 1987, p.19)

The best available population data, presented in Table 1.2, derive from the Social Security Review Issues Paper No.3 and from 1988 data provided by the Department of Social Security. While not providing a direct one-to-one correspondence with sample strata, the available data are sufficiently comparable for analytical purposes.

Comparison in Table 1.2 of population and sample percentages demonstrates clearly the stratification effects of the pre-Scheme sampling frame — pensioners, sole parents, and males are substantially overrepresented. Weighting factors developed for use in all analysis of pre-Scheme custodial parent and control parent data are discussed in Appendix 1.1. Generally,

Table 1.3: Characteristics of the pre-Scheme custodial parent sample: eligibility for CSA registration*

	Unweighted Data		Weighted Data	
	n	%	n	%
Satisfies pension criteria	1820	48.5	1723	45.9
Does not satisfy pension criteria	1935	51.5	2031	54.1
Total	3755	100.0	3754	100.0
Maintenance Agency-collected	317	8.4	387	10.3
Maintenance not Agency-collected	3438	91.6	3367	89.7
Total	3755	100.0	3754	100.0
Separated since 1/6/88	69	1.8	69	1.9
Separated prior to 1/6/88	3686	98.2	3685	98.2
Total	3755	100.0	3754	100.0
Eligible for CSA registration	2024	53.9	2252	60.0
Ineligible for CSA registration	1731	46.1	1502	40.0
Total	3755	100.0	3754	100.0
Eligible pensioner	1820	48.5	2031	54.1
Eligible non-pensioner	204	5.4	221	5.9
Ineligible	1731	46.1	1502	40.0
Total	3755	100.0	3754	100.0
Eligible pensioner	1820	89.9	2031	90.2
Eligible non-pensioner	204	10.1	221	9.8
Total	2024	100.0	2252	100.0

* Eligibility criteria as applicable prior to the repeal in April 1989 of the Child Support Regulations restricting the scheme's scope of application.

these weights represent division of population proportions by sample proportions of each of the groups identified in Table 1.2.

Application of these factors will be transparent to the analysis. Only when the raw data are examined — which will be the exception rather than the rule — will mention normally be made of the weighting procedures.

Description/Comparison With the Population

Tables 1.3 and 1.4 examine the custodial parent sample in terms of elgibility for registration with the Child Support Agency prior to the repeal in April 1989 of the Child Support Regulations restricting the scheme's application to pensioners, collection cases and new cases.

As may be seen in Table 1.3, the pre-Scheme custodial parent sample includes 2024 respondents who have been eligible for registration since the scheme's introduction. Weighted, the data suggest that more than half (60.0 per cent) the custodial parents in the population — if a court enforceable order or agreement had been made — have been eligible to register with the Child Support Agency since 1 June 1988.

Table 1.4 examines sample characteristics in terms of respondents' current partnership status, pension status and sex. Unweighted data are presented, as in Table 1.3, to identify groups within the sample large enough for individual analysis. Weighted data show the retention of suf-

Table 1.4: Sampling characteristics of the pre-Scheme custodial parent sample: gender, partnership status and pension status

	Raw Data		Weighted Data	
	n	%	n	%
Sole Parent Families				
Female pensioner	1334	35.8	1787	47.5
Male pensioner	368	9.9	90	2.4
Female non-pensioner	679	18.2	214	5.7
Male non-pensioner	346	9.3	138	3.7
Two Parent Families				
Female pensioner	87	2.3	136	3.6
Male pensioner	14	0.4	17	0.5
Female non-pensioner	793	21.3	1242	33.1
Male non-pensioner	105	2.8	130	3.5
Total	3726	100.0	3754	100.0

Note: 29 cases were not fully classifiable in the terms of this table and are, therefore, missing from the raw data analysis. Assigned a weight of 0.0, they are notionally included in the weighted analysis. The one apparently missing case in the weighted analysis is simply a result of rounding error at the time of weighting.

ficient cases in each of the strata to allow comparison of males and females, sole parents with those currently partnered and pensioners with non-pensioners. Table 1.5 compares the combined pre-Scheme custodial and control parent sample with the general population of Family Allowees. As may be seen:

- sample respondents are more likely than the general Family Allowance population to have more than one child for whom Family Allowance is received;
- sample respondents are more likely than the general population to fall into one of the under-35 age brackets, while the general population is more likely than the sample to fall into one of the over-35 brackets; and,
- respondents from New South Wales are slightly underestimated in the sample.

Generally speaking, people are more willing to participate in a study which has some direct relevance for them. In terms of the child support scheme evaluation this would lead to the expectation that separated parents would be more likely to respond than would parents for whom child maintenance has no direct relevance. It also would suggest higher participation from those whose separation is recent. Greater immediacy would, in turn, suggest an overrepresentation of less 'settled' respondents — those not yet repartnered, for example. Telephone inquiries during the course of field work supported this expectation. Data in Table 1.6, comparing the pre-Scheme custodial and control parent samples with the 1986 Census 1 per cent sample, provide further substantiation.

Sample respondents are less likely to be currently married than the population as a whole and are more likely, instead, to be separated or divorced. If partnered, respondents are more likely than the population to be in a de facto rather than de jure relationship. Respondents are more likely to rent accommodation rather than to own their own home. Examined in this light, the younger age distribution of the sample noted in Table 1.5 could be seen to represent a bias towards recent separation while the slightly larger number of children in respondent families might suggest a bias towards the greater immediate relevance of maintenance issues.

Pre-Scheme Non-Custodial Parents

With the assistance of the Department of Social Security, it was possible to contact a sample of parents looking after children, a certain proportion of whom could be expected to be separated from their children's other parent. With pensioners at least, it was possible to increase the likelihood of locating custodial parents. Even this limited facility for targeting custodial parents was unavailable for non-custodial parents. With only forty per cent having a court order or court-approved maintenance agreement, court records would yield not only an unrepresentative sample but one which included

Table 1.5: Sample bias: comparison of the pre-Scheme sample with the general population of family allowees

	Family Allowee Population %	Pre-Scheme Sample %	Mean Absolute Deviation %
Number of children for whom Family Allowance is paid			4.4%
1	36.5	27.8	
2	40.1	43.1	
3	17.4	20.9	
>3	6.0	8.2	
State/Territory			1.2%
New South Wales/ACT	35.1	31.6	
Victoria	25.4	24.9	
Queensland	17.3	19.1	
Western Australia	9.6	10.1	
South Australia	8.6	10.1	
Tasmania	2.9	3.2	
Northern Territory	1.1	1.0	
Age			2.0%
Under 21	0.6	1.2	
21–25	5.8	6.9	
26–30	17.8	21.1	
31–35	24.9	27.9	
36–40	24.4	23.7	
41–45	16.5	13.3	
46–50	6.6	4.1	
Over 50	3.4	1.8	
Sex			–
Female	98.2	98.2	
Male	1.8	1.8	

Notes: Family Allowee data were supplied by the Department of Social Security.
The identical sex distribution is a direct result of the weighting procedures employed with the pre-Scheme sample.

those *least* likely to be affected by the child support scheme. Independent organisations of non-custodial parents, while perhaps willing to assist with sampling, would also prove unrepresentative for all the reasons associated with organisational membership — especially single-issue group membership.

In the end it was decided that the best of a not-very-good set of options would be to ask custodial parents to provide the names and addresses of their former partners. This would at least ensure that matched data were available for all non-custodial respondents — particularly useful for assessing response bias in an unknown (statistical) universe.

Of the almost 4000 custodial parent respondents, only 1040 could or

would provide the information necessary to contact their former partners. Questionnaires were mailed to each of the nominated non-custodial parents. Fifty-four were returned unknown at the address provided. Two hundred and four completed questionnaires were returned. (For purposes of analysis, non-custodial parent responses are weighted as for their former partners.)

Table 1.7 examines certain characteristics of the pre-Scheme non-custodial parent sample, comparing these with reports of their former partners and with the pre-Scheme custodial parent sample as a whole. As may be seen, significant response bias is evident: while there is a reasonable consistency in responses of non-custodial parents and their former partners (except with regard to the actual state of pre-Scheme maintenance payments), compared with the custodial parent sample as a whole, non-custodial parents in the sample are more likely to have been married to their

Table 1.6: Sample bias: comparison of the pre-Scheme sample with the ABS 1986 Census 1% sample

	1986 Census 1% Sample %	Pre-Scheme Sample %	Mean Absolute Deviation %
Marital status			4.2%
Never married	4.6	5.8	
Married	82.7	73.4	
Separated	4.6	7.6	
Divorced	6.6	12.8	
Widowed	1.6	0.4	
Present personal circumstances			5.6%
Married (de jure)	82.0	73.6	
De facto relationship	3.6	9.1	
Not partnered	14.4	17.4	
Nature of occupancy			4.4%
Own home	25.7	16.9	
Buying home	46.6	49.3	
Renting	24.8	29.5	
Other	3.0	4.3	
Hours worked per week			1.2%
None	55.3	55.1	
1–15	9.4	11.0	
16–24	7.8	10.2	
25–34	5.7	5.7	
35–39	8.3	7.7	
40	6.8	6.9	
>40	6.7	3.4	

Notes: ABS data include only families with dependent children 14 years of age or younger. In two parent families, information is included only for the mother.

former partners, have had more than one child from that relationship, have maintenance that is court-enforceable and to have actually been paying maintenance pre-Scheme. That these differences evidently represent response bias rather than selective perception suggests that the overall custodial parent sample more accurately depicts pre-Scheme maintenance than do the formerly partnered respondents.

Clearly, it would have been preferable to have had a larger pre-Scheme

Table 1.7: Pre-Scheme non-custodial parent response bias

	Pre-Scheme Sample		
	All respondents	*Former partners*	
	Custodial %	Non-custodial %	Custodial %
Prior relationship			
Married-Divorced	56.2	67.8	67.3
Married-Separated	21.6	25.1	26.3
De Facto-Separated	12.2	4.9	4.2
Never lived together	10.0	2.1	2.1
Number of children of prior relationship			
One	50.6	32.2	36.7
Two	35.7	50.3	46.6
Three	10.7	14.8	13.6
Four or more	3.1	2.6	3.1
Court-enforceable maintenance?			
Yes	39.6	49.3	52.8
No	60.4	50.7	47.2
State of pre-Scheme maintenance payments			
Paid	36.5	59.4	79.1
Previously paid	15.4	9.1	10.3
Never paid	48.1	31.5	10.7
Pre-Scheme maintenance due $ per week per child			
None	45.3	29.9	24.5
>10	3.1	4.3	1.9
11–20	16.5	14.0	14.6
21–30	21.7	32.2	38.4
>30	13.5	19.7	20.6
Pre-Scheme maintenance paid $ per week per child			
None	66.0	44.1	30.9
<10	2.3	3.4	2.5
11–20	8.9	9.2	12.6
21–30	13.4	24.5	31.8
>30	9.4	18.8	22.2

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sample of non-custodial parents. On the other hand, it should be noted that a (perhaps, *the*) primary goal of the child maintenance reforms is to help the children of separated parents — while non-custodial parent views and circumstances are of interest to the evaluation, it is custodial parents who are more aware of the scheme's impact on their children, whose own financial resources are the more likely to be inadequate and whose responses, therefore, are more important.

Early On-Scheme Sample

Difficulties associated with locating potential pre-Scheme respondents were not encountered with the early on-Scheme sample. Instead, in December and January 1988–89, the Child Support Agency mailed questionnaires on the Institute's behalf to the first 6000 custodial and non-custodial parents (12 000 in all) registered on the scheme. Respondents were asked to reply direct to the Institute. In all, 1940 (32 per cent) custodial and 817 (14 per cent) non-custodial parents returned completed questionnaires. Included in these were responses by both partners to 357 (6 per cent) previous relationships.

Comparison of responses by all respondents with those of former partners and, where possible, comparison of sample responses to known characteristics of the registered population (Table 1.8) suggest a similar — but even less significant — pattern of response bias to that found in the pre-Scheme sample. Sample respondents were likely to have been older than the registrant population, less likely to be in receipt of a pension or benefit, likely to have had more children from their former relationship, to have had older and larger maintenance orders or agreements. Non-custodial parents appear to have been slightly more likely than custodial parents to be drawn from more established segments of the registered population.

One difference, however, is, prima facie at least, inexplicable: sample respondents are most likely to have maintenance ordered or approved by the Family Court, while the majority of Child Support Agency registrations derive from Magistrate's Courts.

There are real differences between the clientele of the two courts, levels of maintenance ordered or approved and rates of pre-Scheme compliance (see, for example, Table 1.9). These differences, however, are not of direct relevance to the purposes for which the early entrant sample is to be put: examination in this report of registered maintenance levels, for example, derives from analysis of Child Support Agency rather than sample data as does examination of the Agency's early ability to enforce compliance; longitudinal analysis of the pre-Scheme sample is to be used in the final report to assess whether such factors as former marital status affect the likelihood of voluntary registration.

On the other hand, the possibility remains that such factors may influence other matters of concern (for example, attitudes towards different aspects of

Table 1.8: Characteristics of the early entrant sample and the CSA population

	All Respondents		*Former Partners*		
	Custodial	Non-custodial	Custodial	Non-custodial	First 6000 registrants*
Age					
<21	0.6	0.0	0.6	0.0	0.8
21–30	28.0	19.1	23.5	16.4	30.1
31–40	54.0	52.9	57.2	52.6	52.5
Over 40	17.5	27.9	18.7	31.0	16.6
State/Territory					
New South Wales/ACT	27.2	27.8	27.6	29.2	29.7
Victoria	24.1	23.5	22.6	20.8	21.5
Queensland	18.2	18.8	17.8	20.5	20.3
South Australia	12.3	10.4	11.0	10.4	13.7
Western Australia	12.3	12.6	15.0	12.7	9.1
Tasmania	5.6	5.9	5.6	4.3	5.5
Northern Territory	0.4	0.9	0.3	1.7	0.2
Pensioner?					
Yes	73.6	10.3	69.2	9.5	77.1
No	26.4	89.7	30.8	90.5	22.9
Number of children of prior relationship					
One	39.1	34.5	32.5	32.4	42.8
Two	43.3	43.9	44.5	44.5	40.6
Three	13.6	16.3	17.4	17.5	13.2
Four or more	4.0	5.4	5.6	5.6	3.4
Year of most recent court order/agreement					
1988–1989	32.6	40.0	33.3	37.4	32.7
1985–1987	40.6	38.1	42.4	41.1	40.0
1982–1984	14.9	13.2	14.5	11.5	14.9
1981 or earlier	11.9	8.7	9.8	10.0	12.5
Court of Jurisdiction					
Family	55.0	64.3	61.9	66.3	40.8
Magistrates	38.5	30.8	32.4	29.2	52.7
Other	6.5	4.8	5.8	4.4	6.5
On-Scheme maintenance paid $ per week per child					
<10	10.3	8.1	4.8	4.8	11.7
11–20	34.7	31.1	27.4	26.1	36.0
21–30	34.9	34.4	36.4	38.2	32.1
>30	20.1	26.3	31.4	31.2	20.1

* Where the sample/population attribute refers to individual characteristics, the appropriate comparison is with 'all respondents–custodial parents'

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Table 1.9: Comparison of Family and Magistrate's Court clients: early entrant custodial parent sample

	Family Court %	Magistrate's Court %
Relationship to former partner		
Married/Divorced	73.4	67.4
Married/Separated	22.5	18.0
De Facto/Separated	2.3	9.1
Never lived together	1.8	5.5
Number of children		
One	35.1	42.0
Two	46.7	40.9
Three or More	18.2	17.1
Effect of property settlement on maintenance		
Less maintenance due	4.0	1.4
More maintenance due	0.9	0.7
Maintenance not affected	64.2	51.4
No property settlement	13.2	16.5
No property to divide	17.7	30.0
State of residence		
ACT	5.6	2.9
New South Wales	18.0	30.0
Northern Territory	0.4	0.3
Queensland	18.8	17.1
South Australia	14.7	6.2
Tasmania	5.1	7.5
Victoria	19.1	31.8
Western Australia	18.3	4.2
Size of place of residence		
Capital city	55.3	45.0
Other major city or town	21.1	26.7
Other	23.6	28.4
Access frequency		
At least weekly	9.4	7.4
At least monthly (< weekly)	25.9	17.2
Every few months	17.0	15.0
Yearly	7.1	8.9
< Yearly/Never	40.6	51.5
On-Scheme maintenance paid $ Per Week Per Child		
10 or less	17.0	21.5
11–20	32.1	33.1
21–30	32.6	29.4
More than 30	19.2	16.0

Table 1.10: Comparison of weighted and unweighted early entrant data

	Raw Data		*Weighted Data*		
	Custodial	Non-custodial	Custodial	Non-custodial	First 6000 registrants*
Age					
< 21	0.6	0.0	0.5	0.0	0.8
21–30	28.0	19.1	28.5	22.0	30.1
31–40	54.0	52.9	54.2	50.2	52.5
Over 40	17.5	27.9	16.8	27.7	16.6
State/Territory					
New South Wales/ACT	27.2	27.8	29.3	30.0	29.7
Victoria	24.1	23.5	25.9	25.7	21.5
Queensland	18.2	18.8	17.7	18.2	20.3
South Australia	12.3	10.4	10.4	7.6	13.7
Western Australia	12.3	12.6	10.2	10.1	9.1
Tasmania	5.6	5.9	6.1	7.4	5.5
Northern Territory	0.4	0.9	0.3	1.0	0.2
Pensioner?					
Yes	73.6	10.3	73.8	11.1	77.1
No	26.4	89.7	26.2	88.9	22.9
Number of children of prior relationship					
One	39.1	34.5	39.2	35.6	42.8
Two	43.3	43.9	43.3	42.1	40.6
Three	13.6	16.3	13.3	16.6	13.2
Four or more	4.0	5.4	4.2	5.7	3.4
Year of most recent Court Order/Agreement					
1988–1989	32.6	40.0	33.3	40.9	32.7
1985–1987	40.6	38.1	39.5	37.3	40.0
1982–1984	14.9	13.2	15.2	12.9	14.9
1981 or earlier	11.9	8.7	11.9	5.7	12.5
On-Scheme maintenance paid $ per week per child					
10 or less	10.3	8.1	10.7	8.3	11.7
11–20	34.7	31.1	34.7	31.0	36.0
21–30	34.9	34.4	34.9	34.8	32.1
More than 30	20.1	26.3	20.1	25.8	20.1

* Where the sample population attribute refers to individual characteristics, the appropriate comparison is with 'all respondents–custodial parents'

Agency collection). In order to minimise such possible influence, early entrant data were weighted in a manner analogous to that employed for the pre-Scheme sample. Only the one variable, court of jurisdiction, was used, resulting in the following weighting factors:

	(% of first 6000 registrants) / (% of sample) = weighting factor
Custodial Parents	
Family Court	40.8 / 55.0 = .74182
Magistrate's Court	52.7 / 38.5 = 1.36883
Other Court	6.5 / 6.5 = 1.00000
Non-Custodial Parents	
Family Court	40.8 / 64.3 = .63453
Magistrate's Court	52.7 / 30.8 = 1.71104
Other Court	6.5 / 4.8 = 1.35417

Table 1.10 re-presents data from Table 1.8 and compares the unweighted distributions with the results of application of these weighting factors. While little difference is evident, particularly for custodial parent responses, the weighted data do reflect somewhat more accurately the population data and reflect fewer differences between reports of custodial and non-custodial parents. Weighted data will, therefore, be used throughout the evaluation. (This will, unfortunately, also have the incidental effect of eliminating from analysis those respondents who failed to report which court has jurisdiction.)

Summary

Primary data have been collected from pre-scheme and early on-scheme samples. Pre-scheme respondents are to be mailed follow-up questionnaires later this year. At the same time, a representative sample of Child Support Agency registrations will be drawn and mailed questionnaires as will employers involved with the direct withholding of maintenance.

Pre-scheme data have been collected from 3755 custodial parents, 204 non-custodial parents and a control group of 2536 parents who do not have children under the age of eighteen from a former relationship.

On-scheme data have been collected from 1940 custodial and 817 non-custodial parents.

Appendix 1.1: Weighting factors employed with pre-Scheme custodial parent and control samples

	Sample Size		Weighting Factors		Weighted N	
	A	B	A	B	A	B
Sole parent families						
Female pensioner	1353	1334	.6381	1.3394	863	1787
Male pensioner	382	368	.1153	.2459	44	90
Female non-pensioner	693	679	.1494	.3158	104	214
Male non-pensioner	374	346	.1774	.3985	66	138
Two parent families						
Female	2892	8800	1.7711	1.5657	5122	1378
Male	505	119	0	1.2366	0	147

Notes: The Weighting Factors represent the result of dividing the estimated percentage of the population for each of the strata by its percentage of the sample.
Weighting Factor A allows generalisation of sample findings to the Family Allowee population. Weighting Factor B allows generalisation to the custodial parent population.

2

CHILD SUPPORT AGENCY REGISTRATIONS

GREGG SNIDER

The Child Support Agency from time to time provides the Institute with data tapes of case registrations for analysis as part of the Child Support Scheme Evaluation. While data provided on these tapes provide no individually identifying information, they allow monitoring of maintenance collection in terms of amounts collected, of dates of registration and collection, dates of orders and agreements, the State of registration, custodial parents' pension status, the number of children for whom maintenance is collected, courts of jurisdiction and on those who choose to opt out of Agency collection.

This chapter provides summary information on data provided as of 30 November 1989, on all Child Support Agency registration applications from 1 June 1988.

Registrations

In all, the Child Support Agency registered 31 873 applications for maintenance collection in its first eighteen months of operation. Of these, 25 019 active cases were registered for collection as of 30 November 1989: 23 316 for child maintenance only, 253 for spousal maintenance only and 1450 for the collection of both child and spousal maintenance. Not actively registered for collection were those still being processed, and those who have opted out, who were ineligible, whose orders had been suspended, or whose orders or agreements were no longer current.

The rate of registration has certainly fallen below initial expectations — representing only about five per cent of all custodial parents and ten to fifteen per cent of those with court-enforceable maintenance due.[5]

5. There are some 500–600 000 custodial parents in Australia. Of these, approximately 340 000 are sole parents, [see Table 1.2] representing about 60 per cent of all custodial parents [see Table a.33 in Snider 1989c]. Forty per cent of *these*, (200–240 000) have court orders or approved agreements for maintenance payment [see Chapter Four].

In part, the low rate of registration has been due to difficulties encountered with the States for making arrangements to transfer court and collection agency cases. In part, however, it also reflects the absence of any effective campaign to 'sell' the scheme to custodial parents — public information programmes have been few; client information and information for potential clients (see Chapter Six) is bureaucratic and often difficult to understand.

Analysis of pre-Scheme data (see Table 1.3) suggests that 90 per cent of those eligible for registration for the collection of maintenance prior to the repeal of the Child Support Regulations in April 1989 were in receipt of a major pension or benefit, however only 77 per cent of the first six thousand registrants of those registering with the Agency were pensioners (see Table 1.8). This suggests problems associated with voluntary registration by pensioners. It is not possible to assess realistically whether these continued following the lifting of the Regulations: while 72 per cent of those registered to have maintenance collected at the end of November 1989 were pensioners/beneficiaries, a figure higher than among the overall population of custodial parents, the proportion of the Child Support Agency client population has dropped from seventy-seven to seventy-two per cent since the Regulations were repealed; they have had a longer period of eligibility in which to apply for registration; and they are the only group in the population being actively encouraged (by DSS) to register. This will need to be a matter for continuing investigation with the Wave II questionnaires.

Analysis

Analysis of the Child Support Agency registrations is presented in two tables and five figures on the following pages.

Summarising the first table —

- Child maintenance due to non-pensioner registrants is about $14 per child per month greater than that due to pensioners (the greater maintenance payable to Sole Parent Beneficiaries than to Widows is largely due to the greater recency of their orders and agreements); the few non-pensioners in receipt of spousal maintenance receive significantly more ($79 per month) than do pensioners receiving spousal maintenance.
- Child maintenance varies signficantly from state to state, with registrations in New South Wales, the A.C.T., Victoria, Western Australia and the Northern Territory averaging between $127 and $131 per child per month, compared with those in Queensland ($115) and, then, South Australia ($104) and Tasmania ($103).
- Orders and agreements show a substantial 'economy of scale' with maintenance for one child averaging $133 per month, a further $104 for a second child and a further $75 for a third. This graduation in maintenance amounts is significantly less steep than that contained in the Stage One formula. On the other hand, however, typical formula amounts will begin at higher absolute values.

- Child maintenance is highest if set in the Family Court, less if set in Magistrates' Courts and less still if set in other (for example, Supreme) Courts. Spousal maintenance is higher if set in the Family Court than in Magistrate's Courts; there are too few 'other' court registrations to allow further comparison.

The five figures on the following pages show how maintenance amounts have grown over time, with Figures 2.1 through Figure 2.4 looking at average yearly amounts since 1979 and Figure 2.5 looking at monthly rates since June 1987.

Figure 2.1 looks at the growth in child maintenance, both in terms of the

Table 2.1: Court-enforceable maintenance: Orders and Agreements registered with the Child Support Agency, June 1988–November 1989

	Child Maintenance				Spousal Maintenance		
			Total Average[1]				
	No.	%	$ Per Month	$ Per Child	No.	%	$ Per Month
Pension Status							
Pensioner	17803	71.9	200.13	118.44	1492	87.6	132.69
SPB	13995	56.5	208.87	122.59	955	56.1	138.37
Widow's	3122	12.6	166.63	100.96	369	21.7	87.63
Other	686	2.8	174.61	113.35	168	9.9	197.96
Non-pensioner	6963	28.1	216.84	132.19	211	12.4	211.79
State							
New South Wales/ACT	7224	29.2	212.80	127.18	382	22.5	163.57
Victoria	6561	26.5	219.04	129.46	620	36.6	137.94
Queensland	4664	18.9	198.19	115.26	417	24.6	123.26
South Australia	2781	11.3	163.93	103.59	78	4.6	146.58
Western Australia	2318	9.4	219.00	130.84	131	7.7	164.76
Tasmania	1005	4.1	162.43	102.77	60	3.5	126.00
Northern Territory	164	0.7	225.16	129.65	7	0.4	148.98
Number of Children							
One	10920	44.1	133.39	133.39	634	43.5	136.50
Two	9941	40.2	237.33	118.67	558	38.3	125.59
Three	3094	12.5	312.08	104.03	215	14.8	111.68
Four or more	797	3.2	367.95	86.65	50	3.4	120.54
Legal Status							
Order	20085	91.3	201.53	120.62	1443	95.4	137.69
Agreement	1920	8.7	188.90	112.46	70	4.6	114.89
Court of Jurisdiction							
Family Court	8595	42.1	221.02	128.49	506	35.9	183.37
Magistrate's Court	10740	52.6	189.56	116.58	865	61.4	114.13
Other	1090	5.3	171.06	105.87	38	2.7	152.48
Registration Status							
Active case	24193	97.8	203.31	121.56	1651	97.3	137.88
Opted out	535	2.2	274.03	156.88	45	2.7	273.68

Figure 2.1: Child maintenance, 1979-1989

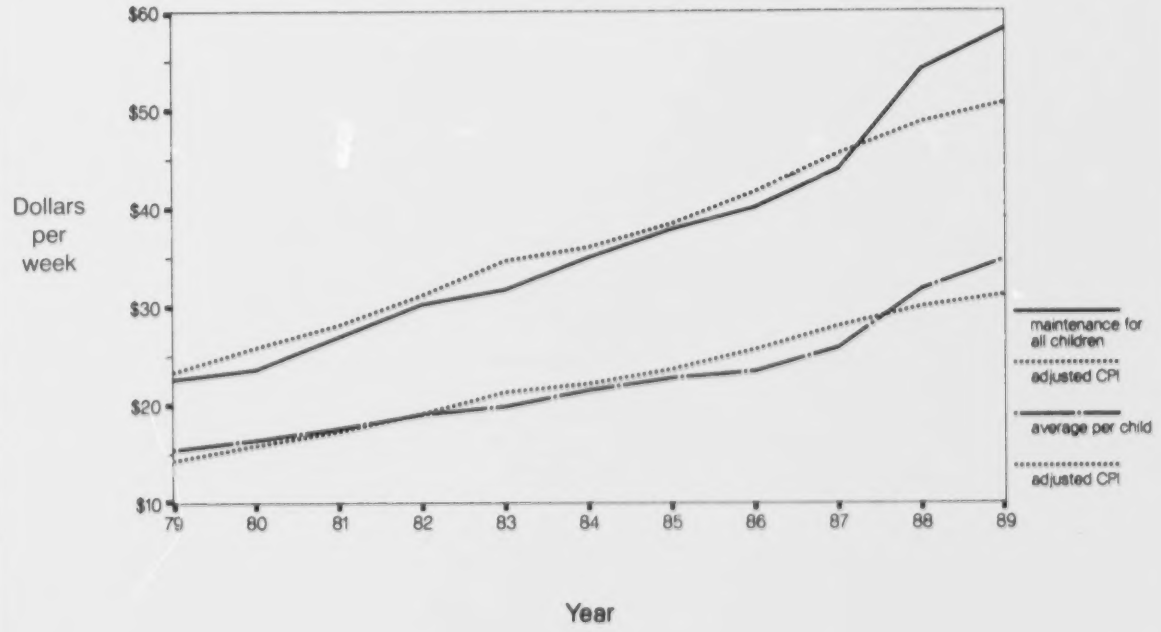
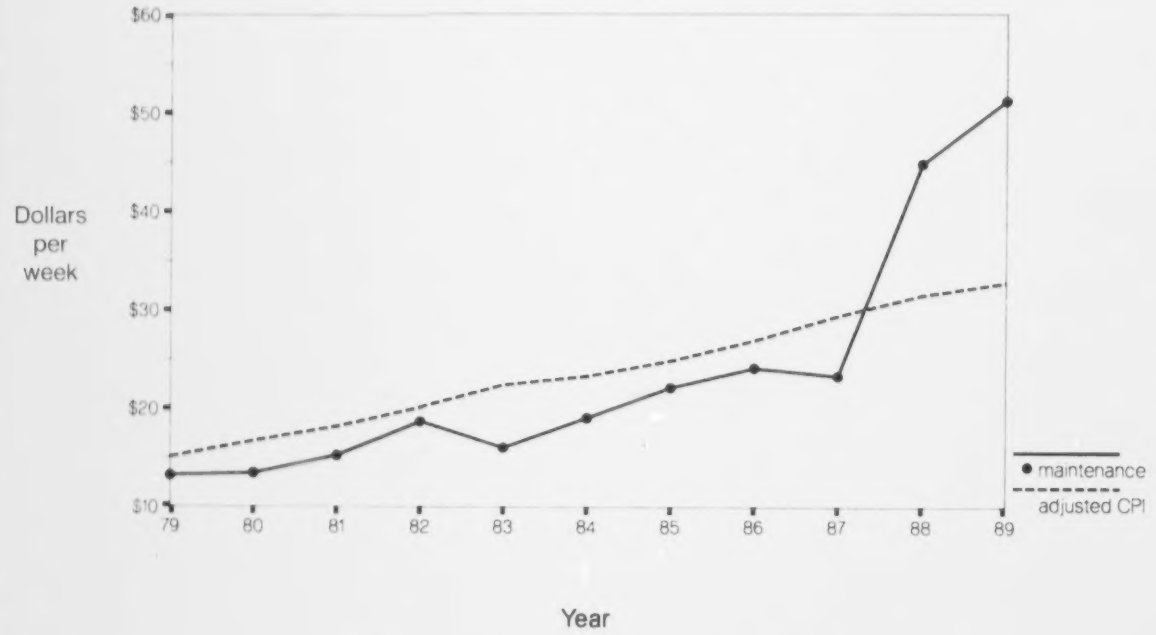


Figure 2.2: Spousal maintenance, 1979-1989



total payable for all children and the average per child while Figure 2.2 looks at spousal maintenance. The consumer price index adjusted to a common mean with each of the maintenance variables is also shown. Figure 2.3 plots child maintenance amounts for one-, two- and three-child families. Three main observations arise out of these Figures:

- Generally speaking, maintenance ordered or agreed has reflected the rising cost of living over the last ten years.
- Each of the various maintenance levels shows a marked increase between 1987 and 1988, with further growth during 1989 (the increase in the past two years is most notable with regard to spousal maintenance).
- Many old orders or agreements, effectively pegged to the cost of living many years ago remain in effect at levels which are now out of date and not in keeping with amounts which now would be ordered.

There is no immediately obvious reason why spousal maintenance should have increased more in 1988 than did child maintenance. One possibility — that perhaps spousal maintenance was somehow being awarded in lieu of, or as a means of boosting, child maintenance — was examined and found *not* to be correct — higher spousal maintenance tended to be associated with higher child maintenance. Given the small number of spousal maintenance awards each year (only 5.8 per cent of Child Support Agency registrations are for child and spousal maintenance and 1.0 per cent are for spousal maintenance only), it is perhaps more plausible that the 1988 increase was amplified by a change in the approach to spousal maintenance taken by particular judges or registries.

The general linkage of maintenance awards to inflation, together with the substantial number of 'older' orders and agreements still in force lends considerable support to the annual review of maintenance provided for in Stage One and prompts the question of whether something similar might be applied to Stage One. One approach would be to provide for an automatic CPI adjustment (to the date of the order, approved agreement or most recent variation) of all Stage One orders and agreements registered for collection with the Child Support Agency. Not only would this provide for more adequate and equitable maintenance, it should provide an incentive in certain cases to register. A further, incidental effect, would be to reverse the onus of responsibility for applying for maintenance variations from the custodial to the non-custodial parent, that is, the parent generally more able to undertake legal action.

Figures 2.4 and 2.5 examine the increases in child maintenance over time, enabling a preliminary assessment to be made of the possible impact of Stage One reforms on the levels of maintenance ordered or approved.

In Figure 2.4 maintenance is regressed on the CPI from 1979 through 1987 and, then, extrapolated through 1989. Although more sophisticated techniques improve the fit, using simple linear regression, growth in the Consumer Price Index accounts for over 95 per cent of the growth in maintenance values from 1979 through 1987. Residual analysis shows that 1988 maintenance values are $4.65 per week per child higher than would

Figure 2.3: Maintenance by the number of children, 1979-1989

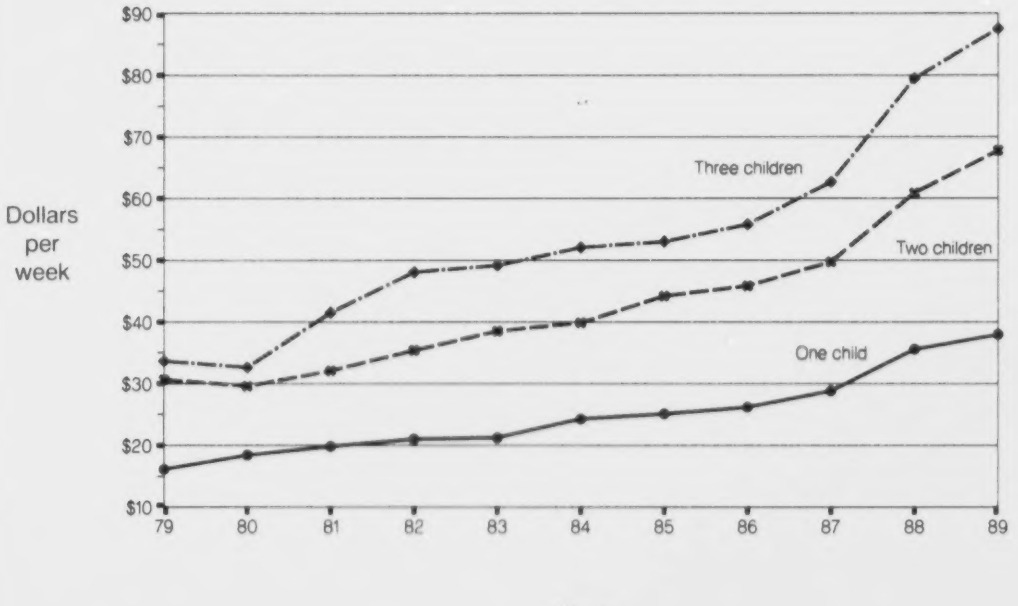


Figure 2.4: Regression of maintenance on CPI

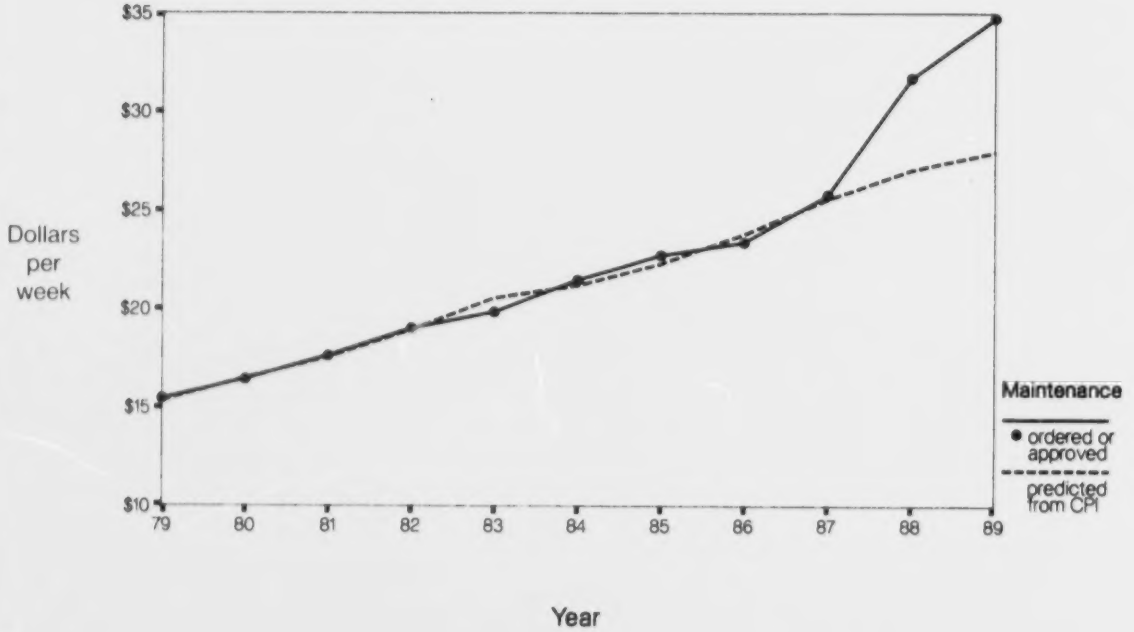
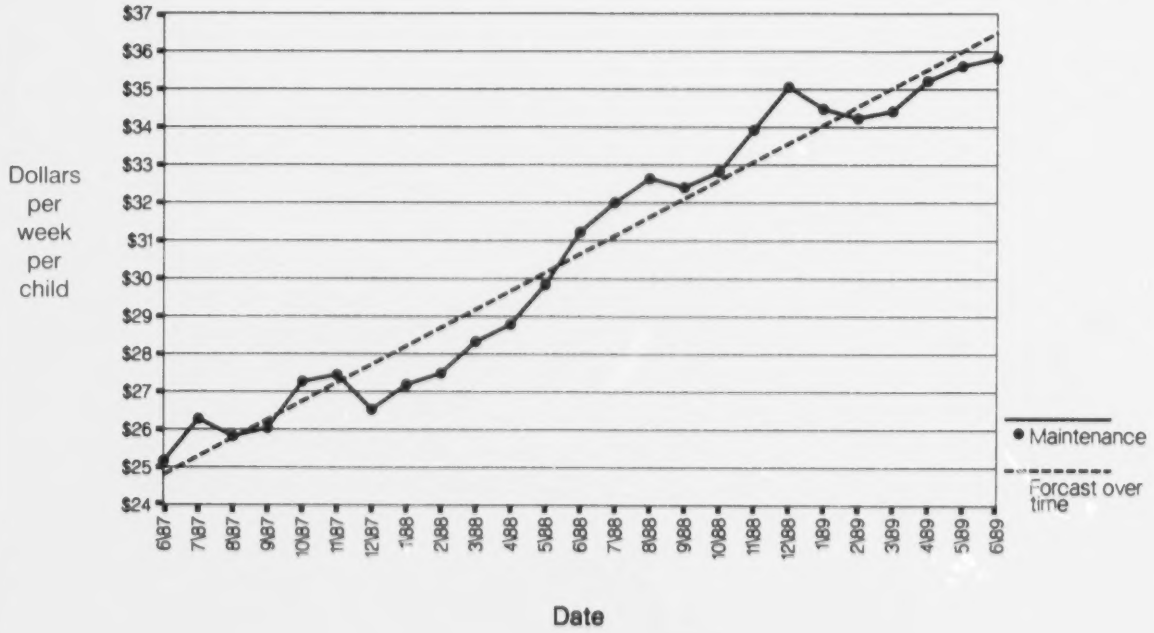


Figure 2.5: Court ordered\approved maintenance by month, 6\87-6\89



have been predicted; 1989 values are $6.78 higher. It would not seem unreasonable to suggest that these, admittedly small, increases might be attributed to Stage One changes to maintenance legislation.

Qualified additional support for this proposition is provided in Figure 2.5 which looks at maintenance values by month from June 1987. From June 1988 through January 1989 the observed values of maintenance exceed those of a linear forecast over time (r-squared = .95). After that, however, maintenance awards drop once again below the forecast line. While only time can tell, it would not be unreasonable to suggest that these most recent orders and agreements might disproportionately represent the coming on scheme of pensioners obliged to apply (whose former partners might

Table 2.2: 1988/89 savings in Commonwealth pension expenditure directly attributable to pensioner maintenance collection through the Child Support Agency

Month registered	Number of active pensioner registrations	Months registered in 1988/89	Average monthly reduction in DSS payments	Estimated 1988/89 savings ('000s)
1988				
June	203	12	61.77	150
July	835	12	56.68	567
August	1488	11	55.96	916
September	1320	10	50.87	672
October	1673	9	51.45	775
November	1303	8	56.79	592
December	756	7	62.31	330
1989				
January	1095	6	62.66	412
February	1223	5	69.25	423
March	1163	4	60.69	282
April	1173	3	64.69	228
May	1314	2	64.19	169
June	1286	1	69.13	89
FY 1988/89 TOTAL				5,605
Projected annual savings (that is, assuming that all cases are registered for a full year)				13,571

Note: These data are based on the following assumptions: that reductions in pensions/benefits date from the first day of the month in which a case was registered with the Agency; that none of the Agency-collected maintenance had previously been considered when pension/benefit entitlements were calculated; and that each pensioner/beneficiary had previously been in receipt of full pension/benefit or at least a sufficient part pension/benefit to allow for the complete discounting of maintenance (that is, the maintenance collected less $15 for the first child and $5 for each additional child represented less than twice the amount of pension/benefit previously paid).

reasonably be expected to be less well off than the general population of non-custodial parents).

Commonwealth Savings

Data presented in Table 2.2 suggest that 1988/89 savings arising *directly* out of Child Support Agency collection may be estimated at approximately $5.6 million. It should be noted, however, that this figure is only a *component* of overall savings that may be attributed to the Scheme as a whole.

Savings would arise not only as a result of the establishment of the Child Support Agency but also from introduction of the separate maintenance income test, changes to the *Family Law Act*, the increased requirement for sole parent pensioners to seek maintenance as a condition of pension eligibility and through an increase in voluntary payment of both court enforceable maintenance and that which had been privately agreed.

Overall savings attributable to the Scheme in 1988/89 have been estimated by the Department of Social Security at $19.1 million. On this basis, with expenditure estimated at $11.9 million for that year (CSCG Report: 56), savings net of expenditure during the first year of the Scheme's operationof $7.2 million.

Further anaylysis will be undertaken to assess the contribution of each aspect of the Scheme to the estimated overall level of savings achieved.

3

FINDINGS FROM EARLIER AIFS STUDIES

MARGARET HARRISON

The existence of the Economic Consequences of Marriage Breakdown (ECMB) and Parents and Children after Marriage Breakdown (PCMB) longitudinal data enabled the Institute to measure the short and longer term effects of marriage breakdown on a modal group of parents with two children who divorced in 1981 and 1983. Their adaptations to changed economic circumstances, their arrangements for the care of their children, their work and re-partnering histories, allow the incident of marriage breakdown to be placed in the wider context of peoples' lives at a time when the payment of child maintenance was described as a 'voluntary act exercised by relatively few' (Edwards, Harper and Harrison 1985).

This chapter draws heavily on major findings from Reports No.2, 3, 4 and 6 which were published as part of the evaluation during 1989. It must, of course, synthesise these findings and the Reports are fully referenced at the end of this document. Additional papers relying on PCMB data are also relied on.

The data therefore provide an additional pre-Scheme sample to that described in Chapter 4, giving indications of the extent to which child maintenance was — or was not — of relevance in the lives of those for whom it was payable. Issues such as post-divorce household composition, work participation (particularly of mothers), income levels, patterns of maintenance payment over time, and attitudes to child support reforms are relevant to the impact and acceptance of any reforms in this area. In order to have a clear perspective of the impact of the Child Support Agency reforms and a yardstick against which to measure change, it is important to understand fully what behaviour preceded them; what trends were apparent and what consequences were associated with these trends. The extent of the information provided by these respondents, and the period of time covered by that information is particularly valuable.

As mentioned in Chapter 4, the scope of the reforms to date has

accentuated the relevance of pre-Scheme data, as the experiences of many parents eligible to pay or receive child maintenance will remain unchanged. Only very gradually will the proportions of those directly affected by the reforms increase vis a vis the whole population for whom child maintenance is relevant.

Economic Consequences of Marriage Breakdown

The Economic Consequences of Marriage Breakdown (ECMB) study was designed to investigate the financial circumstances of divorced men and women at three points of time; just before, soon after, and two to five years after separation. The study built on Australian concerns about the operation of a largely discretionary system of property division, and on the findings of overseas (primarily USA) research, which found that marriage breakdown had different impacts on men and women. This research had found that women (usually the custodial parents) were particularly financially disadvantaged, and that property settlements and child maintenance did little to ameliorate their situations, because few separated couples had property of any value, maintenance amounts were low, and in any event, rarely paid. Interviews took place in 1984 with a sample of 825 — 369 men and 456 women.

The overseas studies and Australian anecdotal information identified women with dependent children (the younger sample in the ECMB study) and older women who may have been out of the paid workforce for some time (the older sample) as being most at risk from the financial impact of marriage breakdown. The criteria for inclusion in the ECMB study reflected a concentration on these groups. For example, factors which defined the younger sample were dissolved marriages where the period between separation and divorce was 12 to 23 months, the duration of the marriage had been between 5 and 14 years, two children had been born during the marriage, and the dissolved marriage had been the first for both parties. For the older sample several different criteria applied, including the age of the wife at separation (45–59) and the duration of the marriage (minimum of 15 years).

The ECMB sample was randomly stratified from the ABS data tape of divorces granted in the Melbourne registry of the Family Court for 1981 and 1983. At the time the sample was drawn, the Melbourne registry was the only one in Victoria, and the busiest in Australia. The Parents and Children after Marriage Breakdown sample, described below, is composed of men and women from the younger ECMB groups only. These parents are representative of the greatest number of cases handled by the Family Court of Australia; they are a modal group of marriages handled by the Family Court in terms of both marriage duration prior to divorce and number of children.

As the unit of sampling for ECMB was the divorce case, both husband

and wife from the dissolved marriage were eligible to be interviewed, and both were invited to participate. In all, 126 former couples took part.

The response rate for the younger 1981 divorced women was 24 per cent, for younger 1983 divorced women it was 33 per cent. Parallel rates for men were 23 and 27 per cent respectively. Final acceptance rates ranged from 16 per cent for older men to 33 per cent for 1983 women. A survey of non-respondents (Funder 1986) showed that the most serious cause of loss from the sample was the failure to reach potential respondents at their last known address. Men were less likely to respond than women regardless of age, the response rate was higher the more recent was the divorce, younger men were more likely to respond than older men, but this was not the case for women.

The ECMB sample has three main identifiable biases. It contains disproportionate numbers of people with limited or no mobility, who were Australian-born and of relatively high socio-economic status. Nevertheless, it is the only sample of its kind in Australia, has respondents from urban and rural areas, and a wide range of incomes, education levels and occupations. It is not restricted to pensioners or beneficiaries, and does not concentrate on those with court orders.

The ECMB study provided much relevant data on (particularly) the financial aspects of marriage breakdown (McDonald 1986). Basic information on the living arrangements of the children and the emotional well-being of participants was obtained, but the major focus was economic circumstances. The study was a longitudinal one, and respondents were asked if they would agree to be re-interviewed at a later date, and, if so, were asked to provide a contact address.

Parents and Children after Marriage Breakdown

In 1987, at a time when child maintenance, custody and access issues were being hotly debated and new legislation was mooted, the Institute re-contacted the younger men and women in the ECMB sample, with a view to pursuing child-related issues, as well as up-dating the respondents' financial circumstances several years further away from the marriage breakdown. In view of its changed orientation, the study was called Parents and Children after Marriage Breakdown (PCMB). Ninety-three per cent of the original younger sample from ECMB agreed to be re-interviewed. The total sample size was 523–234 men and 289 women. Seventy five former couples were included. In 1987 the median ages of their two children were approximately 12 and 14 years.

The major areas of exploration in the PCMB questionnaire include: the long-term adaptation of parents and children, physical, emotional and economic arrangements for children, relationships among family members, and financial, demographic, employment and well-being outcomes in the

longer term. The study was also seen as providing a basis of comparison for families coming into the Child Support Scheme.

A Ministerial Statement on the Child Support Scheme was issued several months before the PCMB interviews took place. This announced that the discretionary court-based system of assessing maintenance would be replaced by administrative assessment and that a Child Support Agency would be established within the Australian Taxation Office to perform this function.

In terms of child maintenance, a 'going rate' of $20 per week per child was documented in both the ECMB and PCMB studies, and higher income payers were found to be paying proportionately *less* of their incomes in child maintenance than were those on lower incomes. Maintenance amounts tended to remain unchanged over the three year period which separated the ECMB study from its follow-up.

As the proposed maintenance reforms were receiving some publicity at the time, and all PCMB respondents were at least eligible to pay or receive child maintenance, several questions were included in order to assess the attitudes of divorced parents to various aspects of the proposals. In addition, updated particulars of periodic and other maintenance payments were obtained, so that a complete history from the time of separation until some five to eight years later could be compiled.

As mentioned earlier, an important component of the evaluation is the provision of 'baseline' data on the payment of maintenance prior to the implementation of the Child Support Agency procedures. The PCMB sample therefore complements the data analysed from the CSSE pre-Scheme sample, with the important provisos that all respondents were divorced, and separation had occurred five to eight years previously. The responses span a period of several years, and reflect the experiences of many who separated when children were young, becoming increasingly expensive, but continuing (in most cases) to be eligible for parental financial support.

The early stages of the PCMB analysis were specifically directed towards issues which would be of particular relevance to the pre- scheme phase of the CSSE. Although PCMB results are directly applicable to a divorced population only, they provide a useful comparison group for the divorced CSSE parents.

One recurring characteristic of the ECMB/PCMB data, (and one which is also apparent in the CSSE pre-Scheme data) is the difference in the accounts provided by custodial and non-custodial parents, and their markedly different attitudes on a number of dimensions. This may be influenced by sample bias, although this explanation is not persuasive in the case of the ECMB/PCMB samples, where the responses of former couples reflected the differences of men and women generally. As Chapter 1 shows, CSA data indicate that the financial accounts of custodial parents were generally more accurate than were those of the non-custodials (see Table 1.10). Differences are likely to be largely due to different perceptions and interpre-

tations of events and actions, and the lack of communication between parents about child costs and direct contributions.

Living Arrangements of the Children and Household Composition

Issues relating to the maintenance, living and visiting arrangements of children following parental separation are, of course, inter-related. Legally, the identity of the liable parent and the dependency of the relevant children must be established before the liability to maintain is determined (paternity may also be relevant, but not where children are born within a marriage, as is the case with ECMB/PCMB children).

The PCMB data show the strength of the mother-custody, father-access model. Some five to eight years after separation both children were living with their mothers in 76 per cent of cases, and in only 8 per cent of cases were both in the daily care of their fathers. In an additional 8 per cent they were alternating between parents or were split between them, and in another 8 per cent other arrangements existed (which usually involved older children living independently of parents). Siblings were therefore rarely separated from each other, and rarely moved from the care of one parent to that of the other in the years following separation.

However, while the primary caregiver for most children was their mother, the composition of her household and that of the non-custodial father had changed frequently. The majority of re-partnered men and women in the PCMB study had re-partnered within a few years of the divorce. Men did so more quickly than women, and those who remarried were most likely to do so in the first year after divorce. At the 1987 interview 57 per cent of men and 38 per cent of women had re-married, and another 13 per cent of both sexes were living in de facto relationships. This means that the largest group (48 per cent) of women were still single. Mothers living with their children were less likely to re-partner than others. Men with higher educational qualifications or occupations were more likely to repartner than were those with lower qualifications, but the converse applied for women. When asked the re-partnering histories of their former spouses, only 10 to 15 per cent of respondents reported that they were still single.

Factors associated with repartnering (in order of importance) were: sex (men were 3 times more likely than women), age at divorce (those divorced before they reached age 35 were more than twice as likely as those divorced after they reached age 35), and occupations (those in professional/managerial occupations were more likely than those in trades and manual occupations to repartner). Respondents were also asked in the ECMB survey if the decision to separate was a joint one, or if it had been initiated by them or by their former spouse. Respondents whose former spouse had been the sole

decision-maker were significantly less likely to have repartnered.

Whether it involves formal marriage or not, the re-partnering of custodial and non-custodial parents introduces additional parent figures into the lives of children of divorced parents. Only 13 per cent of the children of PCMB respondents had *no* step-parents, and the largest group (43 per cent) had two step-parents. Because of the greater propensity of men to both re-partner and to be non-custodial parents, children were more likely to have a step-mother than a step-father, although the step-mother was unlikely to be a member of their household.

Re-partnering is frequently succeeded by the birth of new children, and for non-custodial parents this, of course, may have implications for the financial support of the children of the previous marriage. Few children were born in the first few years after divorce. However, by 1987 just over 30 per cent of the men divorced in 1981 and 18 per cent of those divorced in 1983 had a new child or children to support. In contrast, less than 16 per cent of the women from each divorce cohort had new children at this time. This resulted in only 12 per cent of the children of PCMB respondents having new half siblings living with them, and another 10 per cent had step and — less frequently — half siblings in the households in which they lived.

The Passage of Time and Children's Dependency

At the time of the PCMB interviews, the average ages of the younger and older children were 13 years and 15 years respectively, and ages ranged from 7 to 22 years. Direct information about their entitlement to maintenance was unavailable, but a variable was constructed which took into account age and income. It was assumed that children who were not in full-time education, who were over 16 years old and were earning more than the current rate of unemployment benefit for a 19 year old were financially independent. Fifteen per cent of the families in PCMB had one or both children (almost invariably the elder) in this category, but only one quarter of these families had two independent children.

In terms of financial support, about one-third of the dependent children were *not* being supported by either periodic or other payments. Conversely, some maintenance was apparently being paid for about one quarter of those children who, on the criteria referred to, appeared to be financially independent.

Patterns of Payment Over Time

Not only had the custody arrangements of the children remained relatively stable, but child maintenance arrangements had changed little in the years between the ECMB and PCMB surveys. At both time points the median

amounts paid were $20 per week per child, and in 1987 only 13 per cent were receiving more than $30. In 1984 the more recently divorced custodial mothers reported a higher incidence of compliance with maintenance arrangements than did those for whom the divorce was a more remote event. This difference was eliminated by the time of the PCMB study, when 62 per cent of *all* custodial mothers said maintenance was being paid. Non-custodial fathers reported no initial differences according to the year of divorce, but, on their accounts, compliance dropped from about 90 per cent to 80 per cent between the two studies.

Therefore, according to women, the fall-off in maintenance payments occurred in the time closer to separation. Men rarely reported not paying maintenance.

Overall, less than three quarters of PCMB parents (65 per cent of custodial mothers and 77 per cent of non-custodial fathers) reported that some financial support for their children was being paid five to eight years after separation, but amounts were generally small.

Marital Status and the Payment of Maintenance

As mentioned earlier, family composition has implications for the payment of child maintenance in a number of ways. In addition to the financial stress placed on the non-custodial parent who has additional mouths to feed, single custodial parents (particularly women) may find the expenses associated with child-raising very onerous where there is no or a limited amount of earned income. Conversely, Weston (1986, 1989) has shown that re-partnered custodial women have very similar living standards to those that prevailed before the separation.

In ECMB unpartnered custodial parents were much more likely to be receiving maintenance than were those who had remarried. The difference was not as noticeable at the second (PCMB) interview. At that time re-partnered mothers whose children were living with them were less likely than were those who had not re-partnered to report that maintenance was being paid regularly (49 per cent versus 59 per cent), and were also less likely to report that nothing was being paid (27 per cent versus 31 per cent). In terms of the present marital status of respondents and their former spouses, custodial mothers were much more likely to be in receipt of some maintenance where their former husbands had re-partnered but they had not (70 per cent), and least likely where only they had re-partnered (48 per cent).

Non-custodial fathers rarely indicated that they were not paying, but appeared to be most likely to pay when they had re-partnered but their former wives had not (94 per cent), and least likely when both had re-partnered (81 per cent).

Non-periodic Payments

Non-periodic payments (described in the ECMB questionnaire as 'educational/medical etc costs') were being made in the three months following separation according to 16 per cent of women and 27 per cent of men. By 1984 (3 to 5 years after separation) both men and women said such payments were being made in 19 per cent of cases. The pattern was for non-periodic payments to be made in conjunction with, rather than in lieu of, periodic payments. Three years later, in the PCMB survey, 29 per cent of custodial parents and 58 per cent of non-custodial parents reported the existence of non periodic payments. In that survey they were more specifically identified, and respondents were required to indicate whether different items (ranging from holidays, school fees, clothing etc.) were being paid for. Nearly all payers were men and recipients were almost invariably women, and differences were apparent in the definitions and values attached to the contributions. The most frequently described payment mentioned by non-custodial parents was for their children's holidays, followed by payments for hobbies/recreational equipment, or clothing. The median amount they reported paying was $1000 per year. Custodians most commonly said non-periodic payments were for school fees, followed by holidays and clothing. The median amount reported being received was $500 per year.

The greatest discrepancy in men's and women's reporting occurred with respect to non-periodic amounts. This was probably because much non-custodial parent spending was access related and played no part in the custodial parent's household economy (see Appendices to CSSE Report No.6).

CSSE pre-Scheme custodial and non-custodial parents indicated that some non-periodic payments were being made in 24 per cent and 60 per cent of cases respectively.

Spousal Maintenance

Spousal maintenance was a factor in the lives of very few. In 1984 approximately one quarter of both men and women reported the payment of some form of spousal maintenance in the months following separation, but only about five per cent were paying or receiving it at the time of the ECMB interviews. This had reduced significantly in the intervening years, and by 1987 only 2 per cent of both men and women said spousal maintenance was being paid.

Chapter 2 discusses the incidence and size of spousal maintenance payments for the early Child Support Agency registrants.

Access

At the five to eight year post separation period, patterns of contact between the non-custodial parent and the children were well documented. It was apparent that about 40 per cent to 50 per cent of non-custodial parents were seeing their children either not at all or, at most, no more than six times a year. About 40 per cent were in at least monthly contact, and the remainder saw each other more than three times a month.

The nature of the visits appeared to be related to the age of the children. Older children, who were able to make their own arrangements, preferred frequent, short visits. Younger children were likely to either have frequent overnight stays or no contact at all.

No significant association was found between patterns of contact between the children and the non-custodial parent and the re-partnering of either parent. However, the small number of children whose parents had remained single were more likely than others to have longer, overnight stays. The presence of new children (either half or step) in the non-custodial parent's household however appeared to influence the frequency of access. Single non-custodial parents had the most contact with their children, followed by re-partnered non-custodials with step-children. Childless re-partnered non-custodials and those with a new child were the least likely to have close contact (Funder 1989).

The Relationship of Access to Maintenance Payments

Respondents were asked whether currently or one year after separation there had been conflict about the children's visits. About one third of both fathers and mothers reported considerable conflict at the end of the first year after separation, and one fifth said there had been some conflict then. Some four to seven years later conflict levels had reduced considerably, and three-quarters of men and women said very little conflict was experienced.

There had been some bargaining — trading access for maintenance or vice versa — which was seen as an extreme example of conflict. This had occurred at some time since the separation according to 17 per cent of men and 9 per cent of women. The effects of such bargaining were measured in the group of respondents whose dependent children were still living with their mother. Bargaining strategies over maintenance and access were found to have no significant association with the receipt or non-receipt of lump sum or periodic maintenance as reported by non-custodial fathers. However, custodial mothers indicated a lower probability of money being received if bargaining was reported.

Where maintenance was being paid, there was a tendency for smaller amounts to be paid where there was some bargaining, and for a lower

percentage of the payer's income to be transferred in the form of child maintenance. However, results were not statistically significant.

Factors Best Accounting for the Payment and Receipt of Child Maintenance

In relation to accounts of non-custodial parents and their payments, the very small proportion who said they did not pay made differentiation difficult. With this proviso, as Table 3.1 shows, having bargained access for maintenance (or vice versa) was the most powerful factor associated with the non-payment of periodic maintenance. Current levels of conflict were also important, with each increment in reported conflict decreasing the likelihood of payment by 9 per cent. A more puzzling finding was that men reporting higher levels of satisfaction with their child's wellbeing were less likely to be paying maintenance (see Funder 1989).

As Funder explains, it is assumed that financial support is associated with evidence of parental involvement with children, and on this premise involved parents would be more likely to contribute to their child's wellbeing. However, data suggest that non-paying non-custodial parents who perceived their children as being well provided for saw no need to make any financial contribution.

Custodial mothers' reports of receipt of both periodic and lump sum maintenance were associated with higher levels of involvement between children and the non-custodial parent, particularly in the form of overnight stays. As Table 3.2 shows, if the children stayed overnight the probability of any maintenance being paid increased by 22 per cent. Thus, the CSSE pre-Scheme custodial parent accounts (see Chapter 4) of the trend for involvement between their children and their other parent has been previously indicated in the PCMB data.

The frequency of visits, independently of overnight stays was important to the receipt of *some* maintenance. Each monthly visit increased the chances of some maintenance being received by 8 per cent (see Table 3.2). Similarly, with non-custodial parental income at the time of separation. Later income details of these parents were unavailable, but they are likely to be correlated with past income. As Table 3.2 shows, for every $10000 net income of the non-custodial parent at separation, the chances of some maintenance still being received five to eight years after separation increased by 7 per cent.

The last significant factor was the presence or absence of feelings of hatred and the wish for revenge by the custodial parent. These feelings were rarely reported, (about 9 per cent of the sample expressed such feelings toward their former spouse) but their existence lowered the likelihood of maintenance receipt by 7 per cent.

Satisfaction with Maintenance Arrangements

PCMB respondents who were either paying or in receipt of some maintenance were asked to rate their feelings about several aspects of the payment. The concerns of custodial mothers were quite different from those of non-custodial fathers. Mothers were most dissatisfied with the amount paid and the flexibility of the arrangement, and most satisfied with the manner in which the money is spent and the method of payment. Fathers were least happy with the method of payment and the relationship to access, and most happy with the regularity of payment and the flexibility of the arrangement. Open-ended comments from custodial mothers concentrated on the inadequacy of amounts, particularly with the passage of time and the increasing age and costs of children. Non-custodial fathers were largely concerned that the money paid was not spent on the children, and they were much more likely than the women to make some reference to the relationship between access and maintenance.

A question which asked if the payment or non-payment of maintenance was causing any hardship also produced different responses from men and women. Forty-three per cent of women and 20 per cent of men reported that there was great or some hardship involved. This question was also

Table 3.1: Best fitting model for the payment of any periodic child maintenance

Independent variables	b	beta	Level of significance
Bargaining access and maintenance	−.36	−.35	.001
Current degree of conflict over access visits	−.09	−.29	.002
Satisfaction with child's wellbeing	−.02	−.30	.002

$R^2 = .20$

Table 3.2: Best fitting model for the receipt of any maintenance

Independent variables	b	beta	Level of significance
Child stays overnight with non-resident parent — (Y-N)	.22	.23	.01
Frequency of contact with non-resident parent — visits per month	.08	.23	.01
Non-resident parent's net annual income at separation ($,000 p.a.)	.07	.21	.01
Relationship between parents characterised by wish for revenge (1987)	.07	.15	.05

$R^2 = .23$

asked in the earlier ECMB study and at that earlier point 42 per cent of both men and women said some or great hardship was being caused by the payment or non-payment of maintenance. The almost universal failure to increase amounts in the intervening years was responsible for a good deal of mothers' dissatisfaction, judging by their open-ended comments.

Over half (59 per cent) of the custodial mothers and 22 per cent of non-custodial fathers rated their present maintenance payments as 'not at all fair', whereas 12 per cent of mothers and 28 per cent of fathers said their present payments were 'very fair'.

Relationship Between Amounts Paid and the Income of the Payer

Both the ECMB and PCMB studies measured in considerable detail the personal and household income levels of respondents. At both periods personal incomes of fathers were very different from those of mothers. For example, five to eight years after separation 68 per cent of custodial mothers and 22 per cent of non-custodial fathers were earning less than $20000 per year, and the annual median incomes of men and women were $29000 and $15000 respectively. The trend for higher earning men to be paying proportionately less of their salaries in child maintenance was exacerbated with the passage of time, presumably because salaries tend to be linked, to some degree, to the CPI and maintenance payments were static.

By their own accounts, 30 per cent of the lowest earning non-custodial fathers were paying at least 20 per cent of their incomes as child maintenance, contrasted with 3 per cent of those earning more than $35000 per year (see Figure 3.1). The corollary of this is that only 18 per cent of the lowest earning fathers, 48 per cent of those on middle incomes and two-thirds of those with the highest income were paying no more than 10 per cent of their incomes as child maintenance.

As Chapter 2 shows, examination of cases registered with the Child Support Agency has shown that court ordered or approved maintenance amounts have fairly closely reflected the rising cost of living over the past decade, but the Agency is collecting many small amounts of money as a considerable number of the registered cases involve 'old' orders which have effectively been pegged to the date they were originally made.

In terms of the impact of the administrative formula on payments, the data showed that, if PCMB respondents *had* been included in the Stage Two assessment procedures, non-custodial parents would have been paying, on average, more than twice their current amounts of maintenance.

Women's Workforce Participation

Women may have been in or out of the paid workforce (on a full time or part time basis) at the time of separation, and may have remained out, re-

Figure 3.1: Maintenance, where paid by non-custodial fathers as a percentage of their gross annual income.

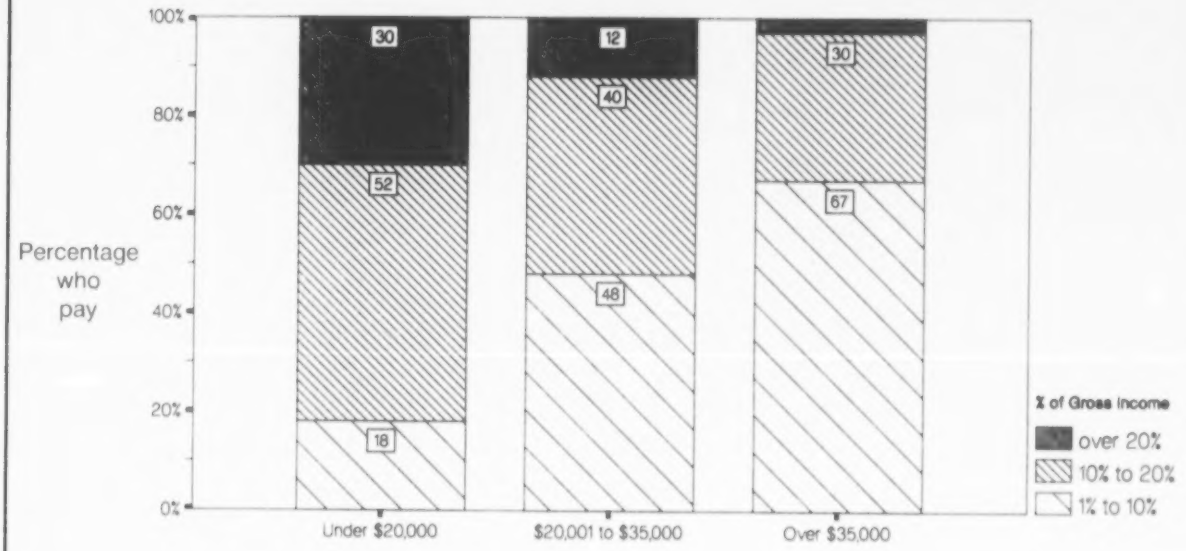
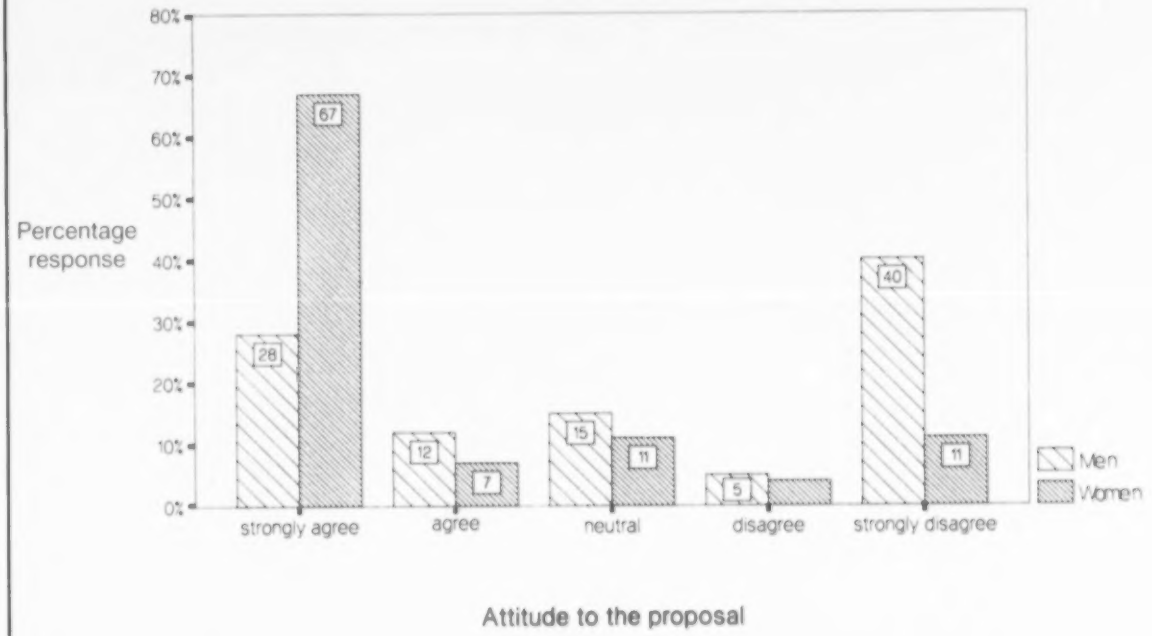


Figure 3.2: Attitudes to automatic deduction of child maintenance via government agency by sex of respondent



entered, left or remained in paid work during the five to eight years after separation. Several entries and exits may have been experienced.

Re-partnering has been shown to be the most effective route out of poverty for single mothers (Weston 1986 and 1989). However, in terms of financial independence for women after separation, employment provides the key. The PCMB study examined the factors which had helped or hindered mothers' re-entry to the paid workforce. 'Re-entry' is the appropriate word, as all women in the sample had been employed at some time during their marriage. However, at the time of separation 40 per cent were not in any form of paid employment. Seventy per cent of these women had made a re-entry six years after separation. Those who returned to work took a median time of almost four years to re-enter.

Over half (52 per cent) of those who were in paid employment at separation had *no* interruption to their workforce participation in the succeeding six years.

The circumstances surrounding the separation were strong predictors of subsequent participation in the paid workforce, and they cut across socio-economic groups. Factors which appeared to retard the rate of re-entry included having a pre-school child and not re-partnering. Women who did not re-partner took more than twice as long to get back into the workforce as those who re-partnered. This may be because partners are able to provide security and help with children, or possibly women who enter the workforce are more likely to re-partner. Those who had been active in the decision to separate were more likely to be in the paid workforce at the time of separation. However, surprisingly, being the sole decision-maker appeared to retard re-entry to the paid work-force.

In addition to those women who had re-entered the workforce between the ECMB and PCMB studies, there was a group (60 per cent) who were working at separation but who had subsequently withdrawn from paid employment. Those who withdrew gave diverse reasons for doing so. Just under one quarter of the reasons related to children's needs or the availability of child care, and another six per cent concerned new partners.

Remaining continuously in paid work between separation and 1987 was associated with *not* having a pre-school child, having had a professional occupation, and (most importantly) being in either full or part time paid employment when the separation occurred. The most recent employment since the birth of the second child was particularly important. This appeared to create circumstances which allowed women to remain in employment in the post separation years.

Social Security Receipt

Women with dependent children may receive financial support from three major sources: paid employment, child maintenance payments and (very rarely) spousal maintenance, and pensions and benefits.

The increasingly heavy reliance of custodial parents on pensions and benefits during the 1970s and 1980s contributed to the movement for reform of the child maintenance system. Sole parent pensioners are consistently identified as being one of the most disadvantaged groups in the community, and their children's welfare is frequently damaged by the poverty experienced by so many single parent pensioner families.

The PCMB study provided a longitudinal view of divorced female custodial parent reliance on social security. This complements available cross-sectional data, but puts a valuable fresh perspective on them.

As mentioned earlier, the PCMB sample has disproportionate numbers of respondents with relatively high socio-economic status, and 40 per cent of women were not in paid employment at the time of separation. Social security was a source of some or all income for 69 per cent of the women at some time after separation. For social security recipients the mean duration of benefits was three to seven years and 88 per cent had one period of time on benefits, an average of 57 per cent of the time since separation (Barczak and Funder 1989).

PCMB data showed that women with lower education, occupational experience and pre-separation incomes were more likely to have become pensioners, as were those who had been passive in the decision to separate.

Neither the receipt of (a) maintenance nor (b) additional property in lieu of maintenance had any effect on the receipt of social security or on the duration of social security payments.

Factors found to be likely to reduce the likelihood of being a pension recipient included (in order of importance): being in paid work at the time of separation, having an income at separation in excess of the Supporting Parent Benefit, being active in the decision to separate, having older children and having some post-secondary education (Barczak and Funder 1989).

Attitudes to Child Maintenance Reforms

The PCMB questionnaire included several questions designed to test the opinions of parents to the suggested child maintenance reforms (see Chapter 5). There was very strong support for the proposition that *defaulters* should be forced to pay, with few differences between men and women, custodial and non-custodial parents. As mentioned earlier, non-custodial parents in the survey were unlikely to report that they were not complying with a maintenance order or agreement. The operation of the Child Support Agency reforms is not restricted to those who do not comply with an order or approved agreement. As is mentioned in Chapter 6, some non-custodial parents objected to being treated (as they saw it) like criminals, as they had fully complied with their obligations. However, the decision to include all

relevant orders or agreements in the Child Support Agency reforms was made on social equity grounds.

A more specific question asked respondents how strongly they agreed or disagreed with the proposal that maintenance be deducted from the non-custodial parent's salary by a government agency and paid to the custodial parent (see Figure 3.2). Just over half (59 per cent) of those who expressed an opinion supported this idea, but only 40 per cent of men agreed or strongly agreed with it, contrasted with 74 per cent of the women. Forty per cent of fathers strongly disagreed with the proposal. Factors such as income levels, household composition, or actual maintenance payment had little influence on attitudes. Gender and custodial status (which were closely inter-related) were the major determinants of positive or negative attitudes.

Another important question addressed the issue of whether the ability to pay child maintenance should be measured according to the income of the non-custodial parent. Once again, opinions were polarised on the gender/custodial status characteristic. When the custodial circumstances of men and women were taken into account, 69 per cent of custodial mothers and 42 per cent of non-custodial fathers agreed or strongly agreed with the proposition. Income levels were no predictor of the opinions expressed. As mentioned earlier, there was little evidence from the data that maintenance payments were in fact proportional to the incomes earned by those paying, or required to pay.

The inter-relationship of maintenance and access was the subject of another question which asked if maintenance should still be paid if access arrangements are broken by one or other parent. This again produced different responses from mothers and fathers. In all, 54 per cent of non-custodial fathers and 81 per cent of custodial mothers thought maintenance should continue to be paid. This question allowed for open-ended responses and the most common comment was that access and maintenance have no relationship to each other. The second most common type of response was the antithesis of the first — that there *is* a direct link between the two issues.

On the issue of the impact of a second spouse on income levels when maintenance liability is assessed, the sample was evenly divided as to whether the need to support a non-earning spouse should be taken into account. However, men and women had very different viewpoints, with 72 per cent of men and 33 per cent of women thinking such a responsibility should be taken into account. Women (even those who had re-partnered) were presumably answering in their roles as the first wife, for whom the first claim for child maintenance was seen to be relevant.

In summary, the PCMB data provided a useful additional pre-Scheme information source to that of the CSSE parents (see Chapter 4). The longitudinal nature of the survey and its wealth of information provides, on a specific population, both more detail and a more dynamic picture of the nature and impact of maintenance and other arrangements than was available from the CSSE mailed questionnaires.

The early results in the evaluation reports helped direct the analysis and

collection of CSSE data. They also enabled several findings from that data to be validated. The minimal amounts paid as child maintenance and the relative unimportance of spousal and non-periodic payments were duplicated in the surveys. Both the CSSE and PCMB studies contribute important benchmark information from which the effects of the Child Support Agency reforms will be able to be evaluated.

4

CHILD MAINTENANCE PAYMENTS: REPORTS OF CSSE PRE-SCHEME PARENTS

MARGARET HARRISON AND GREGG SNIDER

This chapter provides a three-part analysis of data obtained from the CSSE pre-Scheme custodial and non-custodial parent samples. The first two parts rely on respondents' involvement in the maintenance process, as set out in Figure 4.1. Part One explores the major relevant characteristics of the custodial parents at different levels, and from these shows which groups were more or less likely to seek and receive maintenance, as either court clients or parties to private agreements. Part Two builds on this, by using discriminant analysis to provide an explanatory model which would allow the overall impact of the Scheme to be measured. Part Three analyses the data obtained from a small sample of non-custodial parents.

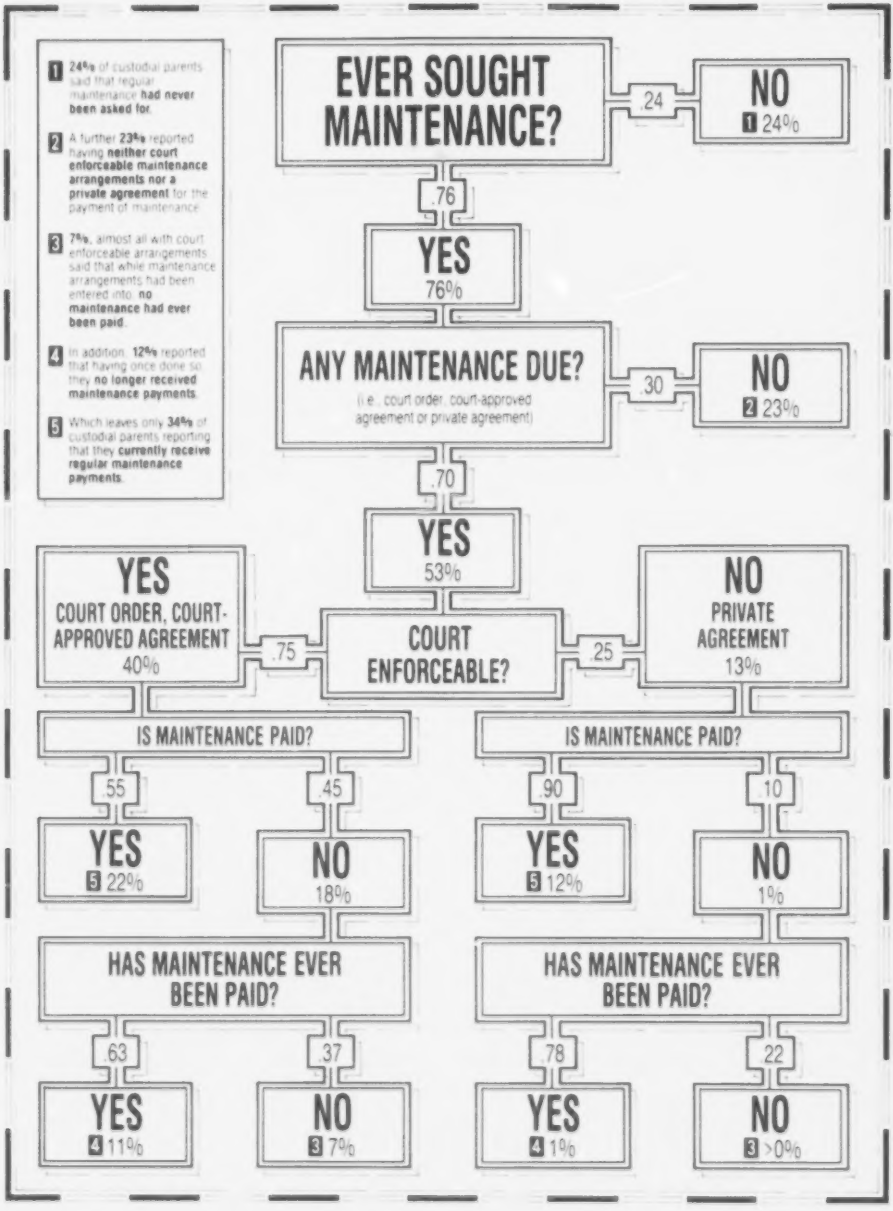
Part One
Custodial Parents

The following questions are addressed in Part One:

1 What determines whether parents who are eligible to receive child maintenance will actually seek it?
2 What affects the process of obtaining an order, court approved agreement or private agreement, thereby having an amount due?
3 Are parents who seek maintenance in a formal way (through court proceedings of some type) different from those who have privately negotiated agreements?
4 What affects whether the amounts due are actually paid?
5 What amounts *are* paid, and what affects variations from the 'usual' amounts?

The timing of this portion of the study (see Chapter 1) produced a sample which contained only 16 Child Support Agency registrants.

THE MAINTENANCE PROCESS



One strong finding from the pre-Scheme data was that for most custodial parents property settlements were irrelevant to child maintenance negotiations. Only 3 per cent of the total pre-Scheme custodial parent sample reported that such settlements had in some way affected their maintenance entitlements. Less than half of these respondents said a settlement had reduced the amount of maintenance, with the remainder receiving property in lieu of maintenance.

Background

Information from a variety of sources has indicated the small proportion of custodial parents who received regular private payments for their children before the introduction of the Stage One reforms.

For example, Department of Social Security statistics for 1985 show that no more than one quarter of pensioner custodians received any regular support from their children's other parent (Edwards 1986), a figure identical to that of female sole parent maintenance recipients in the ABS 1981–2 Income and Housing Survey (McDonald and Weston 1986). As well as being limited to sole parents, these figures give no indication of the proportions of eligible custodians who might have sought maintenance but failed to obtain an order or reach agreement. In their comprehensive analysis of all relevant data sources, McDonald and Weston (1986) calculated that 24 per cent of all potentially eligible women were receiving regular maintenance payments in 1982. Divorced women were the most likely to be maintenance recipients, and never married women the least likely.

The Report of the National Maintenance Inquiry (1984) estimated that 40 per cent of parents with maintenance orders received *no* payments, and at most 40 per cent of orders were fully complied with. The CSSE survey shows that in 1988, at the time of the introduction of Stage One of the new Scheme, 34 per cent of custodial parents were in receipt of regular maintenance (see Figure 4.1).

The Stage One reforms address the problems experienced by those whose orders or court approved agreements are not complied with. However, the reponses of the pre-Scheme sample show that among parents eligivle for child maintenance there is a sizeable proportion who would be unable to benefit automatically from the reforms, as they had not order or agreement for the Child Support Agency to enforce.

Figure 4.1 shows that, before the Child Support Scheme came into operation, a large proportion of parents eligible for child maintenance were not in a position to receive it, as they had either taken no steps to obtain an order or reach an agreement, or they had been unsuccessful in their attempts. Fifty-three per cent of those in the pre-Scheme sample actually had child maintenance due as a result of a court order, court approved agreement or private agreement, and less than two-thirds (64 per cent) of those with maintenance due were receiving payments at the time of the

survey. For the pre-Scheme sample as a whole, around one-third (34 per cent) of custodial parents reported that they were actually receiving regular maintenance payments.

Combining the Child Support Agency registration data (Chapter 2) with the information obtained from pre-Scheme parents, it is apparent that the pre-Scheme maintenance position of most custodial parents has not been changed by the introduction of Stage One reforms. As a result, immediately obtained pre-Scheme data may legitimately be treated as still largely relevant.

Reports of respondents in the ECMB study (see Chapter 3) showed that 92 per cent of these parents had made arrangements for the payment of child maintenance between two and four years after separation. The custodial parents who sought maintenance usually did so within three months of the separation, and most of their arrangements were initially informal and privately made, but were later formalised through orders or court approved agreements. Maintenance was occasionally foregone in favour of an increased property share, and in some instances was apparently not sought because the other parent's whereabouts were unknown, or s/he was unemployed, earning very little or was totally unreliable. Three years later, as documented in the PCMB study, 57 per cent of custodians reported receiving periodic payments for their children, while 77 per cent of non-custodial parents claimed to be paying periodic child maintenance (Harrison forthcoming).

Who Sought Child Maintenance?

Before the Stage One reforms were introduced, applicants for a sole parent pension were not required to take steps to obtain maintenance from the other parent. Had there been such a requirement, maintenance seeking rates would have been higher.

Writing in 1985, John Wade commented that 'even from the unreliable statistics in Australia it seems clear that of the potential number of maintenance disputes within estranged families, the vast majority lead to no formal claim being made at all'.

No previous Australian research has attempted to assess what proportion of eligible parents has actually made efforts to seek child maintenance. However, as Figure 4.1 shows, 76 per cent of custodial men and women in the pre-Scheme study had, however informally, at some time sought maintenance for their children from the other parent. Non-maintenance seekers specifically identified themselves as being parents who had never tried to obtain regular support from their children's other parent to cover the expenses of child rearing.

Table 4.1 presents the characteristics of those who had, at some time before the survey, sought child maintenance. As the number of respondents in the maintenance-seeking group is large, differences are likely to be statistically significant, as the table shows.

Table 4.1: Per cent of custodial parents who sought child maintenance by selected characteristics

	% who sought maintenance	Total N (3182)
Relationship between parents		
Length of relationship:		
Never lived together	43	347
Cohabited 1 to 5 years	80	896
Cohabited 6 to 10 years	82	887
Cohabited 11 to 15 years	83	545
Cohabited more than 15 years	80	255
Divorced	86	1753
Married, now separated	76	653
Never married	54	744
Currently partnered	81	1298
Currently sole parent	73	1884
Don't know other parent's whereabouts	57	492
Know other parent's whereabouts	80	2630
Children		
1 child eligible for maintenance	71	1606
2 children eligible for maintenance	84	1084
3 children eligible for maintenance	86	309
4+ children eligible for maintenance	71	99
Children don't visit	66	1180
Visit but don't stay	77	414
Stay overnight	84	1342
Socio-economic		
Asset levels at separation:		
$0	74	684
$10,000 or less	83	450
$10,001–$30,000	88	398
$30,001–$50,000	84	276
$50,001–$100,000	87	283
$100,001–$150,000	85	70
$150,001–$300,000	78	41
$300,001 and above	90	18
Education		
Year 9 or less	72	645
Year 10	77	752
Years 11–12	76	461
Trade/Business	79	662
Other qualification	80	315
Tertiary	78	335
Economic (In)Dependence		
Pensioner	74	1724
Not pensioner	79	1458

	% who sought maintenance	Total N (3182)
Not employed	75	1809
Work part-time	81	638
Work full-time	75	654
	n.s.	
Demographics		
Custodial fathers	62	315
Custodial mothers	78	2867
Place of residence		
ACT	78	56
NSW	77	958
NT	66	37
Qld	72	628
SA	75	322
Tas	80	107
Vic	78	753
WA	80	307
	n.s.	
Legal Aspects		
No lawyer	64	1843
Legal aid lawyer	94	623
Private lawyer	95	480
Family Court	100	731
Magistrates Court	100	410
Time since separation:		
Less than 1 year	77	170
1 to 2 years	80	575
3 to 5 years	79	760
6 to 10 years	81	878
10 years and above	84	367
	n.s.	

Note: n.s. signifies *not* statistically significant at $p \leq .01$

Changes over time

It is difficult to tease out from a survey which relies largely on retrospective information why maintenance may or may not be sought. Information provided by respondents about their circumstances at the time they answered the questionnaires cannot be assumed to have remained constant over the period since the separation. For example, differences between residents from the different States and Territories only suggest different behaviour in relation to maintenance seeking if it can be assumed that respondents did not move from one state to another after the separation, or movement was reciprocal. Other aspects of people's lives and behaviour,

such as their income, marital status after separation or divorce, and the nature and extent of access visits, can obviously change between separation and the time of the survey. Pension receipt also alters as jobs are acquired or left, and household compositions change.

Establishing a causal model to explain why eligible parents seek maintenance is therefore complicated by the factors which may or did occur *after* the attempt to obtain maintenance, and which in turn may have had an impact on, for example, relationships with children. It was anticipated that factors relevant to maintenance seeking would be those associated with the relationship, or restricted in time to the period around the time of separation. These include the asset levels of the couple at separation, the number of children, and the duration of the relationship. In fact, as Table 4.1 shows, these factors were not necessarily more powerful than were those which were likely to have post-dated the separation.

In short, it is difficult to place the actual decision to seek maintenance into any time sequence. Legally, the obligation to maintain children begins with their birth, and where parents have not cohabited, proceedings for support may be instituted at that time. Otherwise, maintenance obviously becomes a relevant issue when the parents separate. As mentioned earlier, the ECMB study showed a strong trend for private arrangements for the payment of child maintenance to be formalised as Court orders over time. This was probably influenced by the fact that all ECMB respondents were divorced, and most had relied on lawyers, at least for advice about their entitlements or obligations. Lawyers would be expected to advise custodians to formalise their maintenance arrangements through the courts. The evaluation pre-Scheme sample was less homogeneous, as it contained parents who had never cohabited with or married the other parent, and parents who had separated very recently, as well as those whose relationship with the other parent had terminated many years ago.

Relationship between parents

Table 4.1 shows some interesting features of the maintenance seeking group. A striking characteristic is the high proportion of maintenance seeking respondents who had cohabited with their child's other parent for some period of time. Conversely, less than half (43 per cent) of the group who had never lived with the other parent had made any attempt to seek maintenance.

A related factor is the lower propensity of custodians who had never married the other parent to seek maintenance. Just over half (54 per cent) of the never married custodians had sought maintenance, contrasted with 86 per cent of those who had divorced and 76 per cent of the married but separated group.

The decision to re-partner may have preceded or succeeded the decision to seek maintenance. As Table 4.1 shows, custodians living with spouses or partners at the time of the survey were more likely to have sought

maintenance than were those living only with their children. This may be associated with the slightly lower proportion of pensioners (almost invariably, sole parents) who sought maintenance (see later).

Not surprisingly, custodians who knew the whereabouts of the other parent were more likely to have sought maintenance than were those who did not (80 per cent versus 57 per cent). Knowledge of where someone lives is not constant, although the more recently separated and those whose children were visiting the other parent would be expected to have closer contact and knowledge than would others with more tenuous ties.

Children

The number of children entitled to financial support from the non-custodial parent was related to maintenance seeking behaviour. Custodial parents with only one child were less likely to be seekers than were those with two or three children. Single child families would be expected to include a disproportionate number of short-term parental relationships, which possibly did not involve marriage or cohabitation.

Contact with the non-custodial parent is also a relevant factor. Much of the debate surrounding the child maintenance reforms has focused on concerns that tighter enforcement of legal responsibilities, and ultimately higher rates of payment, will exacerbate tensions over children. There is certainly a good deal of anecdotal evidence that maintenance is withheld if children are not available for access visits, and conversely that custodians are reluctant to make children available if they are not supported financially. One argument *in favour of* reform is that across-the-board enforcement will 'take the heat' out of individual disputes, and that non-resident parents who pay towards their children's upbringing will be more likely to be involved as parents in their children's lives.

The PCMB study (see Chapter 3) showed the link between maintaining contact between children and their non-custodial parents and the continuous payment of maintenance, but the analysis from that study also indicated that the frequency of disputes over maintenance and access (at least for divorced parents) may have been overstated (Funder 1989).

The responses of pre-Scheme custodians, as Table 4.1 illustrates, show that custodians who reported that their children did not visit their other parent were less likely to have sought maintenance than were those whose children had some contact; and within the contact group, the higher proportion of maintenance seeking custodians was found amongst those whose children stayed overnight with the other parent. In the PCMB study, longer and overnight visits were associated with the payment of some maintenance, (Funder 1989, and see Chapter 3). Overall, the indirect evidence suggesting a link between the non-payment of maintenance and non-contact between the child and the liable parent was stronger in the pre-Scheme study than it was for PCMB.

Because of their importance, the issues of maintenance and access are addressed in each section of this paper.

Socio-economic factors

In general, the value of assets owned by the couple at separation and the educational level of the custodial parent were largely irrelevant to the decision to seek maintenance. Those with no matrimonial property at the time of separation and those with the lowest education levels were least likely to seek maintenance, although they might be expected to be the groups in greatest financial need. However, it is worth noting that 72 per cent of those who left school at or before year 9 *had* sought maintenance.

Economic (in)dependence

It is interesting to note that, prior to the introduction of the Child Support Scheme, the proportions of pensioners and non-pensioners who sought maintenance were not markedly different from each other; pensioners were somewhat less likely than non-pensioners to have taken some action (74 per cent versus 79 per cent).

The employment status of custodians who had sought maintenance provided no trends. Once again, the timing of the decision to seek maintenance may be crucial, as some custodians were presumably in the workforce both before and after the separation or birth of the child; others would have returned after (and sometimes because of) the separation.

Demographic characteristics

Neither the *Family Law Act* nor the various State Acts which apply to the support of ex-nuptial children distinguish between the sexes when it comes to maintenance applications. Parents living with the child (and, where relevant, other related or non-related carers) may seek maintenance from the non-custodial parent(s). However, as most custodial parents are mothers, in a large proportion of cases applications are made by women.

In this pre-Scheme custodial sample, where all respondents were entitled to seek and receive maintenance for their children, custodial mothers were far more likely to have sought maintenance than were custodial fathers (78 per cent versus 62 per cent). This possibly reflects custodial fathers' beliefs about their perceived need for maintenance or their chances of being paid any, or any significant, support.

Before the Scheme came into operation, South Australia and Western Australia respectively had a state-based and court-based agency for the collection of maintenance. The presence of these agencies does not appear to have acted as an increased incentive for custodians to have sought maintenance. Excluding reports from respondents living in the ACT and the Northern Territory (as case numbers are too small), and assuming that custodians did not move interstate before they sought maintenance, there is little difference in the maintenance-seeking behaviour of those from all States except perhaps Queensland and South Australia, where residents were somewhat more loath to seek maintenance.

Legal aspects

It would be expected that divorced custodial parents would have had some contact with lawyers, at which time they would have been advised of their legal entitlement to child maintenance. Section 55A of the *Family Law Act* provides that a decree nisi does not usually become absolute unless the court has, by order, declared its satisfaction with the arrangements made for the children. These arrangements include consideration of financial support for the children. Fifty-four per cent of the divorced pre-Scheme custodians (regardless of their maintenance seeking actions) said they had used a lawyer to either prepare a maintenance application for them or act for them in maintenance proceedings. An additional proportion would have received advice without the lawyer actually acting for them in any proceedings. In contrast, only 24 per cent of non-divorced custodial parents had used a lawyer in maintenance proceedings, or precursors to them (these proportions are not shown in the Table), and it cannot be assumed that others sought legal advice. Contact with lawyers is, not surprisingly, associated with the seeking of some child maintenance.

When the responses of maintenance seekers were examined it was apparent that those with privately engaged or legal aid lawyers were more likely to have made some effort to obtain child maintenance than were those who had not sought legal advice. However, it is interesting to note that nearly two-thirds (64 per cent) of those who sought maintenance had done so *without* the assistance of lawyers. This would have included the group of custodial parents who made private, informal arrangements with the other parent.

Major characteristics of maintenance seekers

Therefore, the strongest, overlapping, characteristics of maintenance seekers were that they were very likely to have cohabited with, been married to, and subsequently divorced the parent from whom they sought maintenance. Visiting patterns with the children and their other parent had some effect; maintenance seekers tended to have children who saw their other parent, and who stayed overnight. Women were more likely than men to seek maintenance.

For Whom Was Child Maintenance Due?

The analysis in this section concentrates on the characteristics of the group of maintenance seekers who may be described as 'successful', as they had either finalised a privately negotiated or court approved agreement, or had an order for the payment of child maintenance. Seven hundred and thirty pre-Scheme custodial parents who sought maintenance are eliminated at

Table 4.2: Per cent of those seeking maintenance for whom maintenance was due by selected characteristics

	% who sought maintenance	Total N (3182)
Relationship between parents		
Length of relationship:		
Never lived together	37	150
Cohabited 1 to 5 years	72	712
Cohabited 6 to 10 years	75	727
Cohabited 11 to 15 years	77	454
Cohabited more than 15 years	57	205
Divorced	77	1512
Married, now separated	68	496
Never married	45	399
Currently partnered	72	1045
Currently sole parent	68	1383
Don't know other parent's whereabouts	50	280
Know other parent's whereabouts	73	2117
Children		
1 child eligible for maintenance	66	1145
2 children eligible for maintenance	77	910
3 children eligible for maintenance	78	266
4+ children eligible for maintenance	60	70
Children don't visit	56	784
Visit but don't stay	71	319
Stay overnight	80	1126
Socio-economic		
Asset levels at separation:		
$0	61	509
$10,000 or less	73	372
$10,001–$30,000	78	349
$30,001–$50,000	81	232
$50,001–$100,000	80	246
$100,001–$150,000	78	59
$150,001–$300,000	94	32
$300,001 and above	100	16
Education		
Year 9 or less	63	464
Year 10	68	576
Years 11–12	76	349
Trade/Business	71	522
Other qualification	70	251
Tertiary	76	260
Economic (In)Dependence		
Pensioner	68	1271
Not pensioner	72	1158

n.s.

	% who sought maintenance	Total N (3182)
Not employed	69	1361
Work part-time	77	515
Work full-time	67	492
	n.s.	
Demographics		
Custodial fathers	29	196
Custodial mothers	74	2232
Place of residence		
ACT	76	44
NSW	71	734
NT	41	24
Qld	60	454
SA	71	242
Tas	66	86
Vic	77	587
WA	72	244
Legal aspects		
No lawyer	53	1169
Legal aid lawyer	84	586
Private lawyer	87	454
Family Court	100	731
Magistrates Court	100	410
Time since separation		
Less than 1 year	69	132
1 to 2 years	68	461
3 to 5 years	71	603
6 to 10 years	74	711
10 years and above	79	308

Note: n.s. signifies not statistically significant at $p < .01$

this stage of the analysis, as they were unable to reach agreement or obtain an order. This is in addition to the responses of those who did not even get to 'first base', as they had not made any attempt to obtain maintenance from their child's other parent.

It might be hypothesised that parents who had at least succeeded in obtaining an order or agreement would be those who were more determined, possibly because they saw their chances of ultimately receiving money as being relatively good.

Relationship between parents

The nature of the relationship between respondents and their former partners was relevant to their efforts to have child maintenance arrange-

ments put in place. Regardless of the duration of their cohabitation, the fact that they *had* lived with the other parent at some time was conducive to custodians having an order or agreement. As Table 4.2 shows, the never married group was still far less likely to have maintenance orders or agreements in place than (in order of likelihood) were those who had married and subsequently divorced (45 per cent, versus 68 per cent and 77 per cent).

As was found with the maintenance seeking group, those with maintenance due were more likely to have a partner at the time of the survey than to be living alone (72 per cent versus 68 per cent), and were more likely to know where their former partner was now living (72 per cent versus 50 per cent).

Children

Those with small (one child) or large (four or more children) families were less likely to have reached agreement or obtained an order for child maintenance than were those with two or three children entitled to support. (However, the number of large families is too small for trends to be reliable). This, as mentioned in relation to maintenance seekers, may reflect the shorter duration and perhaps reduced parental involvement of those whose relationship with the other parent was not characterised by marriage or cohabitation.

The trend for contact between the other parent to be related to maintenance involvement was continued when the issue of whether maintenance was due was examined. Just over half (56 per cent) of the maintenance seekers whose children did not visit their other parent said they had orders or agreements in place, contrasted with 71 per cent of those who reported visits not involving overnight stays, and 80 per cent of those who said their children stayed overnight with the non-custodial parent.

Socio-economic characteristics

Trends were again similar to those found with the maintenance seeking group, with custodians who reported having *no* 'matrimonial' assets at the time of separation and those with minimal educational levels being the least likely to have succeeded in having orders or agreements for the payment of child maintenance.

Economic (in)dependence

Maintenance seeking non-pensioners were slightly more likely than pensioners to be successful in their efforts (72 per cent versus 68 per cent said they had maintenance due to them).

For no obvious reason, part-time employees were more likely than those who were not working at the time of the survey, or those who had full-time jobs, to have maintenance due.

Demographic factors

As Table 4.2 shows, custodial fathers who had sought maintenance were far less likely than custodial mothers to report that they had been successful in their attempts. Only 29 per cent of men said they had an order or agreement in place, contrasted with 74 per cent of women. This may indicate that they were not expecting to receive maintenance for the children because they had no great financial need or the other parent had limited financial ability to pay. In some cases it may indicate the expenses of employing a lawyer when legal aid is unavailable. These issues cannot be determined here.

Excluding the small number of respondents from the ACT, Northern Territory and Tasmania, the data showed again that Queenslanders were less likely than residents of other States to have obtained orders or finalised private or court approved agreements.

Legal aspects

The suggestion that unsuccessful maintenance seekers were (for a variety of reasons) less committed to having an order or agreement finalised is strengthened by the fact that just over half (53 per cent) of the custodial parents who had not relied on lawyers in any maintenance proceedings reported having maintenance due. This is in contrast to the average of 85 per cent of those with maintenance due who had privately engaged or legal aid lawyers acting for them.

The most recently separated custodial parents who had sought maintenance (those separated for up to two years from the date of the survey) were less likely than those for whom the separation was a more remote event to have maintenance due to them. The trend here was a linear one, with parents with the longest period of separation being the most likely to have orders or agreements in place. This trend does not necessarily suggest that separating parents require several years to have maintenance arrangements put in place, as the variation between maintenance due rates for those most recently separated and those separated for between 6 and 10 years was quite small.

Court Clients and Parties to Private Agreements

This section looks at the characteristics of those custodial parents who actively and successfully sought out maintenance by way of either (a) court orders or court approved agreements, or (b) privately negotiated agreements. Eliminated from consideration are respondents who specifically did not seek maintenance, and those who failed to come to an arrangement with their child's other parents, or were not parties to a court order or court approved agreement.

Table 4.3: Per cent of those successfully seeking maintenance who were (a) parties to court orders/approved agreements (court clients) or (b) parties to private agreements by selected characteristics

	% court clients (75%)	% parties to private agreements (25%)	Total N (1699)
Relationship between parents			
Length of relationship:			
Never lived together	63	37	55
Cohabited 1 to 5 years	80	20	512
Cohabited 6 to 10 years	76	24	543
Cohabited 11 to 15 years	70	30	351
Cohabited more than 15 years	65	35	118
Divorced	88	12	1171
Married, now separated	41	59	338
Never married	58	42	178
Currently partnered	86	14	758
Currently sole parent	67	33	941
Don't know other parent's whereabouts	93	7	141
Know other parent's whereabouts	74	26	1540
Children			
1 eligible for maintenance	78	22	752
2 eligible for maintenance	74	26	698
3 eligible for maintenance	68	32	207
4+ eligible for maintenance	72	28	42
Children don't visit	92	8	441
Visit but don't stay	58	42	225
Stay overnight	72	28	897
Socio-economic			
Asset levels at separation:			
$0	77	23	309
$10,000 or less	80	20	271
$10,001–$30,000	80	20	273
$30,001–$50,000	75	25	189
$50,001–$100,000	77	23	197
$100,001–$150,000	77	23	46
$150,001–$300,000	72	28	30
$300,001 and above	83	17	16
	n.s.		
Education			
Year 9 or less	78	22	294
Year 10	75	25	391
Years 11–12	72	28	265
Trade/Business	74	26	373
Other qualifications	86	14	175

	% court clients (75%)	% parties to private agreements (25%)	Total N (1699)
Tertiary	67	33	198
		n.s.	
Economic (In)Dependence			
Pensioner	68	32	867
Not pensioner	83	17	832
Not employed	74	26	938
Work part-time	78	22	396
Work full-time	76	24	328
		n.s.	
Demographics			
Custodial fathers	77	23	56
Custodial mothers	75	25	1643
		n.s.	
Place of residence			
ACT	70	30	33
NSW	77	23	519
NT	85	15	10
Qld	70	30	273
SA	68	32	171
Tas	82	18	57
Vic	79	21	452
WA	72	28	176
		n.s.	
Legal aspects			
No lawyer	44	56	621
Legal aid lawyer	95	5	492
Private lawyer	90	10	395
Family Court	100	0	731
Magistrates Court	100	0	410
Time since separation			
Less than 1 year	15	85	91
1 to 2 years	56	44	316
3 to 5 years	78	22	427
6 to 10 years	87	13	526
10 years and above	94	6	243

Note: n.s. signifies *not* statistically significant at $p < .01$

Table 4.3 sets out the various relevant characteristics of those in the two groups. As it shows, 75 per cent of respondents with maintenance arrangements had court orders or court approved agreements (and are described as 'court clients'), and the remaining 25 per cent were parties to private agreements. They are described as having 'informal arrangements'.

The Table points out several major differences (and some interesting similarities) between custodial parents in the groups, which become more important later in the Chapter when issues such as levels of compliance and amounts paid are examined.

Time since separation is a characteristic which discriminates between the two groups, particularly for parents whose separation preceded the survey by less than one year. Eighty-five per cent of the most recently separated custodians had private agreements for the payment of child maintenance, and 44 per cent of those who had separated between one and two years earlier were also parties to such agreements. Although time since separation is related to knowledge of a former partner's whereabouts, the tendency for those with informal arrangements to be more recently separated may account for the fact that only seven per cent of respondents who said they had no knowledge of where the other parent lived were *not* court clients.

The very close association between being divorced and having a court order or approved agreement for the payment of maintenance is an obvious feature of the Table. Eighty-eight per cent of divorced custodians who had maintenance due to them were court clients. In contrast, 41 per cent of the married but separated respondents were court clients, as were 58 per cent of the never married group with maintenance due.

A related feature is the low usage of lawyers by parties to private agreements. Despite the small proportion of custodians with privately negotiated agreements among those with maintenance due, more than half (56 per cent) of the 'no lawyer' group had arranged their maintenance informally. The few with lawyers and private agreements had presumably relied on them only for initial information and advice. They might then have been dissuaded from taking the matter further, either because of the expense associated with court proceedings or because a private agreement with the children's other parent seemed sufficient. Others who had been married may have chosen to wait until the 12 month separation period had elapsed, at which time their maintenance arrangements could be formalised along with the divorce.

A small percentage (14 per cent) of those who were living with a new partner at the time of the survey had private agreements, as did 33 per cent of the sole parents with maintenance due. Related to this is the tendency for pension recipients not to be court clients — 32 per cent of pensioners had private agreements. Repartnering, pensioner status, knowledge of the former partner's whereabouts and divorce are all events which are affected by the timing of the termination of the previous relationship. The more recent the separation the less likely custodial parents would be to have repartnered or divorced, and the more likely they would be to be in receipt of a sole parent pension, and to know where the other parent was.

Another factor which may be time dependent is the pattern of contact with the child and the other parent. Amato (1987) found that the percentage of children in non-intact families who were not seeing their fathers in-

creased with the time since the family breakup, a trend which he saw as being unsurprising. Fox (1985) has also described a weakening of the bonds between non-custodial parents and their children over time. Presumably factors such as the formation of new families and the movement of either or both parents to more distant areas influence access patterns. Table 4.3 shows that 92 per cent of those who said there was no contact between their child and the other parent were court clients.

Those with more contact with their children were more likely to have informal arrangements, perhaps reflecting their lower level of conflict and higher level of cooperation.

The sex of the custodial parent was shown to have very little impact on the distribution of custodial parents into court or non-court categories. By this stage, all but a small number of custodial fathers had been eliminated from the analysis, as they had not sought maintenance, or had sought it unsuccessfully.

For Whom is Maintenance Actually Paid?

The discussion in this section is directed towards the custodial parents in the separate court and non-court groups who were receiving maintenance payments at the time of the survey. The question asked is: to what extent were orders, approved agreements and private agreements complied with?

Thirty-four per cent of the pre-Scheme custodial population was receiving maintenance for one or more children in their care at the time the questionnaires were completed. An additional 12 per cent said payments had been made at some time, but had stopped by the time of the survey. As described earlier, and shown in Figure 4.1, 24 per cent of the population had made no attempt to seek payment, and an additional 23 per cent were unable to reach agreement or obtain court orders or approved agreements. This left 53 per cent of those in the survey who had surmounted these barriers and should have been in receipt of some child maintenance. Of this sub-group of respondents, 64 per cent were receiving some money for their children's support at the time they completed their questionnaires. In terms of general compliance, 55 per cent of court clients and 90 per cent of the smaller group who had informal arrangements were being paid child maintenance.

Relying on data from surveys carried out early in the 1980s, McDonald and Weston (1986) calculated that nine per cent of never married women eligible to receive child maintenance were receiving it, as were 22 per cent of both separated and re-married women, and 36 per cent of divorced women. From the pre-Scheme sample similar but not identical calculations can be made (not shown in the Table). For example, 14 per cent of all never married custodians (both mothers and fathers) surveyed were in receipt of some child maintenance, as were 40 per cent of *all* divorced custodians and

36 per cent of all those who had been married to their child's other parent and had subsequently re-partnered. Thus, consistently, approximately 35 per cent of eligible parents were receiving maintenance pre-Scheme.

Amounts paid to custodial parents did not necessarily equate with those due according to orders made or court approved or privately negotiated agreements. However, variations proved to be of minor importance, with nine per cent of amounts paid being in some way different from those ordered or agreed to, seven per cent involving lesser amounts and two per cent involving greater amounts. There were a very few additional cases where an amount ordered was subsequently increased or decreased by agreement between the parties, and the custodial parents reported that these agreements were being complied with. Variations appeared to occur where smaller rather than larger amounts were payable, and were as likely to occur for those with orders and court approved agreements as they were for parties to private agreements.

As described in the previous section, the composition of the court client and private agreement groups was different in several important respects, and these differences offer several explanations as to why non-court clients were more likely to receive maintenance than were court clients.

Court Clients

Table 4.4 looks at some of the characteristics of custodial court clients who were being paid child maintenance at the time of the survey. There were several factors which appeared to influence the rate of compliance for these parents.

In some instances the numbers of respondents in particular categories is too small to allow any conclusions to be drawn.

Relationship between parents

The characteristics which differentiated the original custodial parent sample on the basis of respondents' previous relationship with the non-custodial parent are not particularly important at this stage of the analysis. Large numbers of the never-cohabited, therefore never-married, therefore never-divorced group have been eliminated, either because they did not seek child maintenance, or they were unable to have arrangements put in place.

Excluding the very small number of court clients who had never lived with the other parent, generally the longer parents had lived together, the greater was the likelihood of maintenance being paid. Compliance rates increased from 40 per cent for cohabitation periods of one to five years to 77 per cent for periods in excess of 15 years.

When marital status prior to separation was examined in relation to payment, the never married group were the least likely to be receiving maintenance (46 per cent), and the married but separated the highest (62 per

Table 4.4: Selected characteristics of court clients with maintenance due who were receiving child maintenance

	% receiving maintenance	Total N (1277)
Relationship between parents		
Length of relationship:		
Never lived together	76	35
Cohabited 1 to 5 years	40	413
Cohabited 6 to 10 years	60	411
Cohabited 11 to 15 years	67	245
Cohabited more than 15 years	77	77
Divorced	55	1024
Married, now separated	62	139
Never married	46	104
	n.s.	
Currently partnered	50	648
Currently sole parent	61	629
Don't know other parent's whereabouts	19	131
Know other parent's whereabouts	60	1132
Children		
1 child eligible for maintenance	51	589
2 children eligible for maintenance	59	516
3 children eligible for maintenance	57	141
4+ children eligible for maintenance	69	31
Children don't visit	29	404
Visit but don't stay	60	131
Stay overnight	70	649
Socio-economic		
Asset levels at separation:		
$0	41	239
$10,000 or less	46	218
$10,001–$30,000	59	217
$30,001–$50,000	64	142
$50,001–$100,000	75	152
$100,001–$150,000	81	36
$150,001–$300,000	77	22
$300,001 and above	79	13
Education		
Year 9 or less	47	229
Year 10	58	293
Years 11–12	60	190
Trade/Business	53	278
Other qualification	56	151
Tertiary	63	133
	n.s.	

	% receiving maintenance	Total N (1277)
Economic (In)Dependence		
Pensioner	58	590
Not pensioner	53	687
	n.s.	
Not employed	54	693
Work part-time	60	308
Work full-time	52	248
	n.s.	
Demographics		
Custodial fathers	44	43
Custodial mothers	56	1234
	n.s.	
Place of residence		
ACT	58	24
NSW	55	400
NT	23	9
Qld	44	192
SA	58	116
Tas	46	46
Vic	59	359
WA	67	126
Legal aspects		
No lawyer	63	273
Legal aid lawyer	44	467
Private lawyer	62	355
	n.s.	
Family Court	60	731
Magistrates Court	49	410
Time since separation		
Less than 1 year	80	13
1 to 2 years	70	178
3 to 5 years	65	332
6 to 10 years	51	457
10 years and above	35	227

Note: n.s. signifies *not* statistically significant at $p<.01$

cent). The compliance rate for the divorced court clients fell in the middle of these two (55 per cent).

Other characteristics associated with higher compliance rates included contact between the child and the other parent. Payment was most likely to be made when children stayed overnight (70 per cent), somewhat less likely when children visited but did not stay (60 per cent), and least likely when there was no contact with the non-custodial parent (29 per cent). This trend

for apparently more 'substantial' access to be related to maintenance seeking and having arrangements of some sort put in place was therefore continued at the compliance stage.

In addition, as the period from the separation increased, the chances that maintenance would actually be paid decreased. Eighty per cent of court clients who had separated within one year of the survey (although very few had managed to make court-based arrangements in that short period), were receiving maintenance. This rate declined steadily, until for those who had separated more than 10 years earlier maintenance was only being paid in 35 per cent of cases.

What cannot be measured here is how soon after separation maintenance orders or agreements were finalised. Parents who acted quickly after separation and obtained court orders may have been more likely to have those orders complied with over time than were those who relied on private agreements, or those who failed to pursue the matter at all for some time.

When present marital circumstances were considered in relation to current payment patterns, sole parents were seen to be more likely than currently partnered custodians to have orders or approved agreements complied with (61 per cent versus 50 per cent). Whether or not this indicates that payments are more likely to be made when there is greater need cannot be determined from this analysis. It is likely that in some cases a new partner was seen (by one or other parent) as being the appropriate financial provider for the custodial respondent and children, thus removing the obligation from the biological parent. Certainly, where financial need was measured solely on the basis of the employment of the custodian, no clues were provided as to why maintenance was or was not being paid. Fifty-four per cent of non-employed court clients were in receipt of maintenance, compared with 52 per cent of those who were working part-time and 60 per cent of full-time employees.

Court clients who were receiving maintenance were slightly more likely to be pensioners than non-pensioners (58 per cent versus 53 per cent), continuing the trend for there to be little difference between respondents on this characteristic, at most levels of the analysis.

There were insufficient numbers of custodial fathers in the court client group to enable any conclusions about payment rates to be drawn, although they *were* less likely to be receiving maintenance than were mothers (44 per cent versus 56 per cent). Previous Australian studies (including PCMB) have been unable to reach any firm conclusions about the child maintenance contributions of non-custodial mothers, as they constitute such a small proportion of non-custodial parents. However, as mentioned, the trend has been for non-custodial mothers to have lower compliance rates than non-custodial fathers (Harrison 1989).

Legal aspects

Court clients with Family Court orders or agreements were more likely to report that payments were being made than were those who had been

Magistrates Court clients (60 per cent versus 49 per cent). Whether this is related to the different socio-economic status levels of the two groups (Family Court clients tend to have greater financial resources than Magistrates Courts clients), and/or the higher status of the Family Court, is unknown. Those in the never married group were excluded from the jurisdiction of the Family Court for all but Western Australian residents, and the trend for parents with informal legal ties to be unsuccessful in the maintenance process is obviously one factor relevant to the association of Family Court clients with higher compliance rates.

Interestingly, those who had *not* used a lawyer in any maintenance proceeding were as likely to say money was being paid as were those who had relied on the assistance of a privately engaged lawyer. Custodial parents who were court clients as a result of the efforts of legal aid lawyers had the lowest success rate when it came to payment. There is likely to be an association between legally aided custodians and low income former partners, who may have found compliance financially difficult. This theory cannot be tested here.

Other factors

Payment rates for court clients varied somewhat according to the States in which they lived at the time of the survey. As South Australia and Western Australia were the only States to have enforcement agencies in place before the introduction of the Child Support Scheme, it was interesting to see the payment patterns of recipient custodial parents living in either of these States at the time of the survey. Responses of residents from the ACT, Northern Territory and Tasmania were excluded at this stage, because of insufficient numbers. Western Australian residents were the most likely to have orders complied with, followed closely by Victorians (Victoria had no collection mechanism before the Child Support Scheme came into operation), and South Australians. Queensland court clients had the lowest rate of maintenance receipt.

Court clients who had no 'matrimonial' assets of value at the time of separation were less likely than those with some assets to be in receipt of maintenance.

Parties to Private Agreements

Custodial parents who reported that maintenance was due as a result of an informal arrangement reported high compliance rates (90 per cent, as mentioned earlier). Not all characteristics of Table 4.5 are discussed in the text because of small sample sizes, and few conclusions about compliance rates for this group of pre-Scheme custodians may therefore be drawn from the data.

The *Child Support (Registration and Collection) Act* does not permit the registration of informal (private) agreements for the payment of child

Table 4.5: Selected characteristics of parents with maintenance due by way of private agreements who were receiving maintenance

	% receiving maintenance	Total N (422)
Relationship between parents		
Length of relationship:		
Never lived together	77	20
Cohabited 1 to 5 years	81	100
Cohabited 6 to 10 years	92	131
Cohabited 11 to 15 years	86	106
Cohabited more than 15 years	92	41
Divorced	91	146
Married, now separated	94	200
Never married	76	74
Currently partnered	82	110
Currently sole parent	92	312
Don't know other parent's whereabouts	56	10
Know other parent's whereabouts	91	408
Children		
1 child eligible for maintenance	88	163
2 children eligible for maintenance	89	182
3 children eligible for maintenance	93	66
4+ children eligible for maintenance	100	12
	n.s.	
Children don't visit	55	38
Visit but don't stay	95	94
Stay overnight	93	249
Socio-economic		
Asset levels at separation:		
$0	73	70
$10,000 or less	89	53
$10,001–$30,000	91	56
$30,001–$50,000	100	47
$50,001–$100,000	89	45
$100,001–$150,000	100	11
$150,001–$300,000	100	8
$300,001 and above	100	3
Education		
Year 9 or less	89	64
Year 10	93	99
Years 11–12	90	75
Trade/Business	91	95
Other qualification	86	24
Tertiary	85	65
	n.s.	

...	% receiving maintenance	Total N (422)
Economic (In)Dependence		
Pensioner	91	277
Not pensioner	87	145
	n.s.	
Not employed	90	245
Work part-time	91	88
Work full-time	88	80
	n.s.	
Demographics		
Custodial fathers	76	13
Custodial mothers	90	409
	n.s.	
Place of residence		
ACT	96	10
NSW	86	118
NT	100	2
Qld	98	82
SA	92	55
Tas	100	10
Vic	90	94
WA	79	50
	n.s.	
Legal aspects		
No lawyer	91	348
Legal aid lawyer	82	25
Private lawyer	83	40
	n.s.	
Time since separation		
Less than 1 year	94	78
1 to 2 years	90	138
3 to 5 years	93	95
6 to 10 years	82	69
10 years and above	88	16
	n.s.	

Note: n.s. signifies *not* statistically significant at $p<.01$

maintenance, and the reforms therefore greatly curtail the reliance by pensioners on such agreements. Obviously, this had no impact on the practices of respondents in the pre-Scheme sample. Nearly two-thirds of the pre-Scheme custodians with informal maintenance arrangements were pensioners, and pensioners had slightly higher compliance rates than non-pensioners (91 per cent versus 87 per cent).

Very few respondents with informal arrangements had not cohabited with the other parent. Taking this into account, non-cohabitants had the

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lowest compliance rate (77 per cent) and for all but the small group of those who had lived together for more than 15 years, the longer the period of cohabitation, the higher was the proportion of custodials reporting that maintenance was being paid.

Divorced and married but separated respondents had similar compliance rates (91 per cent and 94 per cent respectively), and the never married group were the least likely to report payment (76 per cent). When current marital status was examined, parents who had not re-partnered by the time of the survey were more likely to report that maintenance was being paid than were those living with partners (92 per cent versus 82 per cent).

The relationship between access visits and maintenance was again of relevance, with the trend being for payments to be made where the children were seeing their other parent. Fifty-five per cent of parties to private agreements whose children were *not* in contact with the non-custodial parent said maintenance *was* being paid, which contrasts with 93 per cent for recipients whose children stayed overnight during visits.

Other factors associated with higher compliance rates were: *not* relying on a lawyer, having assets of some value at the time of separation, and being separated for a shorter rather than a longer period of time.

How Much Maintenance is Being Paid?

This section of the Chapter looks at amounts of child maintenance actually received, and investigates which, if any, circumstances lead to variations from the norm. Child Support Agency data provide similar information (see Chapter 2).

As Table 4.6 shows, the average amount received per week per child by maintenance recipients in the pre-Scheme survey is $23.98. There were variations according to the number of children for whom the amount was payable, the source of the order or agreement, and the location of the payee. These are described here and set out in Table 4.6. There are also, as mentioned earlier, very small variations between amounts agreed to, ordered, due and paid.

Family size

Economies of scale appear to occur in the setting of amounts. Weekly maintenance for one child families in the pre-Scheme sample averaged $28.15, while for two child families the total amounts were $43.56, thereby allowing $15.41 for the second child. For three child families the average totals were $58.68, suggesting an allowance of $15.12 for the third child. Child Support Agency data also reflect economies of scale (Chapter 2). Thus, it would be common for two child pre-Scheme families to have orders or agreements for the payment of less than $45 per week mainte-

Table 4.6: Amounts of weekly child maintenance paid to recipients, according to various characteristics

	Average per week per child	(N)
All cases	$23.98	(1085)
Family size		
One child	$28.15	(445)
Two children	$21.78	(465)
Three children	$19.56	(142)
Family type		
Pensioner non-partnered mothers	$23.37	(567)
Pensioner non-partnered fathers	$21.06	(4)
Non-pensioner non-partnered mothers	$33.80	(86)
Non-pensioner non-partnered fathers	$26.03	(14)
Partnered mothers	$22.79	(404)
Partnered fathers	$20.78	(11)
Custodial mothers	$23.99	(1056)
Custodial fathers	$23.27	(29)
Court clients	$23.36	(707)
Parties to private agreements	$25.13	(378)
Family court clients	$24.57	(435)
Magistrates court clients	$21.66	(201)
Period since separation		
Less than one year	$33.28	(84)
Between one and two years	$26.04	(249)
Between three and five years	$23.17	(304)
Between six and ten years	$21.76	(290)
More than ten years	$21.12	(93)
Date of last order/court approved agreement		
1980	$16.90	(34)
1981	$22.10	(31)
1982	$19.94	(40)
1983	$25.97	(41)
1984	$19.46	(67)
1985	$24.31	(60)
1986	$24.51	(84)
1987	$28.49	(130)
1988	$26.23	(100)
Previously married	$24.25	(973)
Not previously married	$21.50	(105)
Children see other parent	$24.20	(945)
Children don't see other parent	$22.50	(138)
Pensioner custodian	$23.33	(59)
Non-pensioner custodian	$24.75	(492)

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	Average per week per child	(N)
Partnered parent	$22.73	(415)
Sole parent	$24.74	(670)
Place of residence		
ACT	$28.54	(23)
NSW	$24.88	(322)
NT	$21.97	(4)
Qld	$20.72	(164)
SA	$20.67	(118)
Tas	$28.88	(32)
Vic	$26.40	(296)
WA	$23.45	(124)

nance. The family composition of one to three dependent children accounted for 97 per cent of the pre-Scheme maintenance-receiving families.

Calculations of maintenance amounts payable under the *Child Support (Assessment) Act* provide a picture of responsibilities for the financial support of the children of more recently separated parents. [It is important to note that administrative assessment only operates prospectively; for children who are born on or after 1 October 1989, for full siblings of an eligible child, and for children whose parents separate on or after 1 October, 1989]. A close equivalent to 'average' payments received by pre-Scheme custodial parents with two children under the Stage 2 provisions is $47 per week for two children. This amount under the formula would be payable by a non-custodial parent with no new dependent children earning $15 000 per year, and where the custodial parent had no or low earnings. Again, under the new legislation, a parent on average weekly earnings (just over $500 per week) with two children to support, a low earning or non-working custodial parent and no additional dependent children would pay just over $100 per week in child maintenance.

Family type

The combination of family type, pensioner status and the sex of the payee accounted for some differences in the amounts received by pre-Scheme custodial parents. Non-pensioner, non-partnered mothers received the highest average weekly payments ($33.80 per child), followed by the very small group of non-pensioner single fathers ($26.03) and pensioner non-partnered mothers ($23.37). Only 3 per cent of maintenance recipients were fathers, and their average overall weekly payments per child were virtually identical to the amounts received by the considerably larger group of custodial mothers ($23.27 versus $23.99).

Court clients and parties to private agreements

Whether payment was obtained by court clients or parties to private agreements accounted for minor differences in amounts reported by pre-Scheme custodial parents. Those with court orders or approved agreements received slightly lower average amounts than did those with informal arrangements ($23.36 versus $25.13), possibly because the latter parents were often more recently separated. Within the court group, Family Court clients were more likely to receive higher amounts than were those whose child maintenance was payable because of Magistrates Court contact ($24.57 versus $21.66). Family Court clients were, by definition, all at some time married to their child's other parent, and marital status was constantly found to be relevant to the seeking and obtaining of maintenance. Those with greater asset levels would be expected to be Family Court clients.

The impact of time on amounts paid

Amounts of maintenance paid decreased as the time from separation increased. Custodial parents who had separated within one year of the survey and were receiving maintenance averaged $33.28 per child, with amounts reducing to $21.12 per child where the separation had occurred as long ago as eleven years or more.

More specific time-related information was obtained by asking court clients when their most recent court orders or court approved agreements were obtained, and plotting the amount provided against the year. Figure 4.2 shows this for average amounts payable per child per week.

The average amounts fluctuate, but increase gradually over the eight year period from 1980 to 1988. There is a small range of weekly amounts over those years, from an average of $17 per child to $28.50. The slope of the regression line shows that the average yearly increase in maintenance was $1.14 per week per child. The deviation of the observed mean values from the regression is often quite large, but this is probably due to the small numbers of cases in some years. Chapter 2 shows that, generally speaking, amounts of registered maintenance orders or agreements have reflected the rising cost of living over the past decade. Child Support Agency amounts are higher at most time points than are amounts reported by custodial parents in the pre-Scheme sample. The Child Support Agency data therefore show a similar trend of gradually increasing amounts, with a much better fit between observed and expected values, probably because the Child Support Agency sample is much larger. The Child Support Agency data are more likely to represent the relationship between amounts payable and the years elapsed than are those provided by pre-Scheme custodials. Not only is the number of cases much greater, but so would be the accuracy of the amounts and dates, which would have been verified by the Child Support Agency at the time of registration.

Pre-Scheme respondents were not asked whether amounts originally

agreed to or ordered, had varied over time, but the data suggest that variations were rare, which was a feature of maintenance payments for PCMB respondents (see Harrison, forthcoming).

Court clients' amounts

There has been relatively little investigation of court ordered maintenance amounts, because of the many and disparate courts determining amounts, the lack of computerised court records and the difficulties of obtaining a reasonably sized sample. In November 1987 Bordow analysed 364 Family Court maintenance orders, the vast majority of which had been made by consent. Her survey showed that the most frequent order at the time was in the range of $25 to $30 per week per child, with Sydney having highest overall amounts (averaging $31 to $40, and the most frequent order being for $35). Melbourne, Parramatta and Adelaide all had orders in the $25 to $30 range, with most frequent orders being respectively $30, $25 and $25. Once again, family size was relevant to amounts, particularly where there were three or more children. The amounts only relate to Family Court orders made before the referral of powers was implemented, therefore apply to nuptial children only, and the sample size for particular States is small.

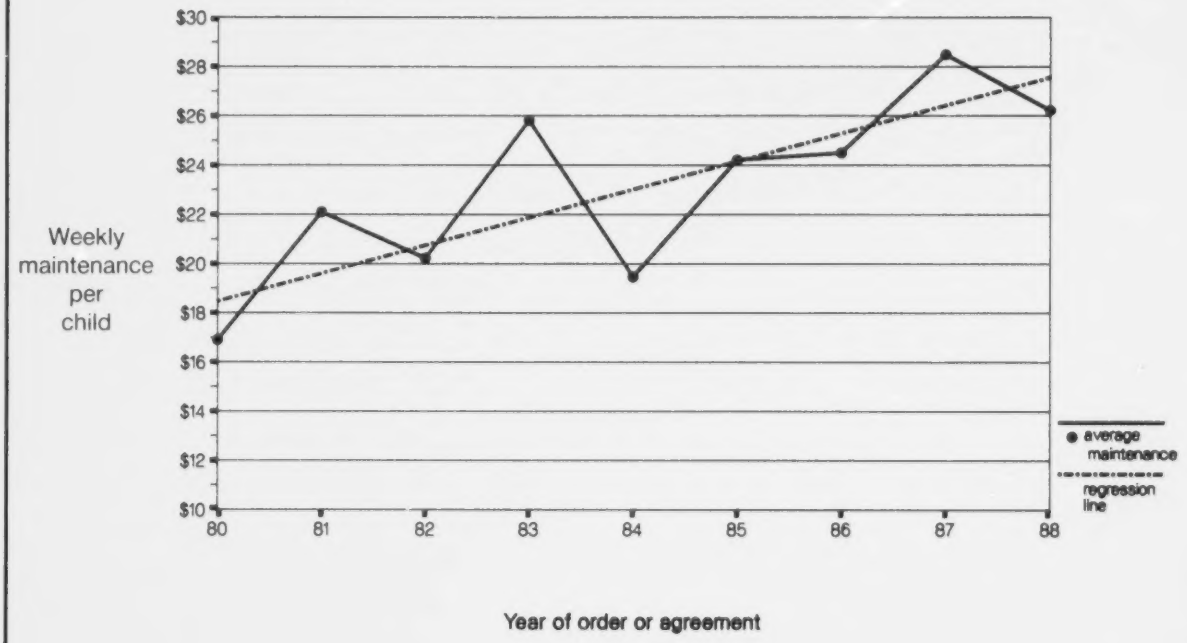
Place of residence

Amounts received by pre-Scheme respondents were examined according to the States they were living in at the time of the survey. Amounts from residents of the ACT, Northern Territory and Tasmania were not taken account of as there were too few cases. Victorian amounts were the highest, followed by New South Wales and Western Australia. Respondents were also asked if they were residents of capital cities, country towns or other locations. The amounts received by custodians were respectively $24.92 per child per week, $23.79 and $22.47 (regardless of the State in which they lived).

Part Two
Discriminant Analysis: Custodial Parents

This part of the chapter provides a single explanatory model which has two distinct uses. First, it should provide a relatively simple device for assessing the overall impact of the Scheme's introduction on the maintenance situations of individual custodial parents; and, second, it should allow for an assessment of whether the impact of extraneous factors changes as a result

Figure 4.2: Average maintenance per child by year of most recent court order or court approved agreement



of the Scheme's introduction (that is as maintenance liability is almost invariably unrelated to access, the operation of the Child Support Scheme should lead to a reduction in the relationship between access and the actual payment of maintenance).

These aims, however, require longitudinal analysis — all that can be done now, prior to the second wave of interviews, is to develop the model and note the significance of extraneous variables to the classification of individuals' maintenance situations.

From Figure 4.1 it may be established that pre-Scheme custodial parent respondents were distributed into the following eight maintenance categories:

1. Maintenance never sought 24%
2. Maintenance sought but not due 23%
3. Court-enforceable maintenance never paid 7%
4. Privately-agreed maintenance never paid ..... —
5. Court-enforceable maintenance no longer paid 11%
6. Privately-agreed maintenance no longer paid 1%
7. Court-enforceable maintenance now paid 22%
8. Privately-agreed maintenance now paid 12%

This part of the chapter presents a multivariate analysis which examines the joint impact of most of the variables used in Part One on the likelihood of a respondent falling into any one of these categories.

The Method

The following analysis — multivariate analysis — examines the joint impact of most of the variables used in Part 1 on the likelihood of a respondent falling into any one of the eight categories set out above. The technique used is 'discriminant analysis'. Discriminant analysis is used to predict a case's group membership on the basis of one or more continuous (or dichotomous) independent variables. (As with many of the statistics commonly used in social research, discriminant analysis is sufficently robust to withstand some violation of independent variable assumptions — for example, permitting the use of ordinal rather than interval level independent variables.)

Unlike ordinary least squares analysis (for example, analysis of variance, regression analysis), no assumptions of continuity or normalcy are required for the dependent variable — it is only necessary that a case may fall into one and only one of the grouping categories. Unlike contingency table analyses (e.g. crosstabulation), it is not necessary with discriminant analysis to collapse independent variables into categories (thereby losing information).

Model Building

Like factor analysis, to which certain computations are analagous, discriminant analysis can prove useful as an exploratory device. While it has other applications, it is in this manner that it is to be employed here. It will also be used iteratively, that is, step-by-step.

That is, on the one hand, while the representation of Figure 5.1 is intutitively useful, discriminant analysis will be used to assess how it may be simplified. This analysis will seek to reduce a set of variables to those which most effectively provide for the classification of respondents. Ideally, the most useful model will be that which maximises the fit between conceptually supportable independent variables and a meaningful representation of the maintenance situation.

Discriminant Functions

A discriminant function represents a linear combination of independent variables designed to maximise the likelihood that any given case will fall into one of two dependent variable groups (or, with multiple groups, one or the rest). Discriminant function coefficients (one for each independent variable) are analagous in this respect to regression coefficients. Standardised discriminant function coefficients may be interpreted as are Betas in regression. With only two dependent variable groups, only one discriminant function may be determined. With more than two, as in this analysis, there may be as many discriminant functions as one less than the number of dependent variable categories. A matrix of discriminant function coefficients is analagous to a factor matrix — where a factor solution seeks to maximise communality, a discriminant function solution seeks to maximise the predictability of group classification.

Proportional Reduction of Error

Since the basic purpose of discriminant analysis is to classify cases, the most obvious measure of a solution's suitability is the extent to which it is capable of classifying them correctly — that is the per cent correctly classified. At the same time, however, some consideration must be given to the fact that a certain proportion of cases would be correctly classified by chance. For this reason, it is necessary when assessing a particular analysis' fit to the data to determine what is known as the 'proportional reduction of error'.

To determine the proportional reduction of error, it is first necessary to calculate the percentage that would be expected to have been correctly classified by chance. This is done by summing the squares of the proportion

falling into each group. With the eight maintenance categories, this is calculated as:

$.24^2 + .23^2 + .07^2 + .00^2 + .11^2 + .01^2 + .22^2 + .12^2 = .19$

Next, the expected proportion of error is calculated by subtracting this value from 1.00:

$1.00 - .19 = .81$

The proportional reduction in error achieved by any given discriminant solution is determined by, first, subtracting from this figure the proportion of cases *incorrectly* classifed and, then, dividing that result by the expected proportion of error. If a solution, for example, correctly classified 42 per cent of the cases, its contribution to the reduction of error would be:

$(.81 - (1.00 - .42)) / .81 = .28$

Variables

Twelve variables included in Part 1 were retained for the initial discriminant analysis. In order to ensure retention of the maximum possible number of cases with valid values for each variable, two of these had to be modified slightly:

- years since separation (since the birth of the youngest child for those who never lived together); and
- assets at separation ($0 for those who never lived together).

Analysis

Results of the initial discriminant analysis are presented in Table 4.7. All eight maintenance categories are retained, all twelve independent variables are included. The first thing to note is at the bottom of that table: the seven discriminant functions developed from the nine independent variables have correctly classified 32 per cent of the cases, a proportional reduction of error of 16 per cent. While not a bad result for a first analysis, a good solution should come close to doubling these figures.

One factor limiting the adequacy of this solution is the small number of cases falling into the two 'privately agreed but not paid' groups (4 and 6).

A second analysis was carried out, collapsing the two 'never paid' groups (3 and 4) into one and, also, the two 'no longer paid' groups (5 and 6). This resulted in an increase in the per cent correctly classified to 37 per cent and the proportional reduction of error to 22 per cent. Major classification difficulties still remained, particularly for those reporting that they had unsuccessfully sought maintenance and distinguishing those who had once been paid from those who had never been paid.

In an effort to overcome these difficulties, a third analysis was performed with only four maintenance groups: those with nothing due, those with something due but not paid, those receiving court-enforceable maintenance

Table 4.7: Initial discriminant analysis: 8 groups, 12 variables

Distribution of valid cases (that is, respondents both classifiable and providing valid responses to all of the independent variable questions)

Group	Number of cases	
	Unweighted	Weighted
1. Maintenance never sought	477	414
2. Sought but not due	471	431
3. Court-enforceable, never paid	113	134
4. Privately-agreed, never paid	5	4
5. Court-enforceable, no longer paid	212	253
6. Privately agreed, no longer paid	20	23
7. Court-enforceable, now paid	477	521
8. Privately agreed, now paid	224	224
Total	1999	2004

Standardised Canonical Discriminant Function Coefficients

Independent variable	Discriminant function						
	1	2	3	4	5	6	7
Access frequency	.39	.65	.01	.11	−.34	−.12	.45
Gender	−.57	−.05	.48	−.17	.06	−.23	.32
Age	.03	.04	−.48	.63	.54	−.65	−.05
Size of place of residence	.05	.02	.03	.32	.59	−.03	.32
Pension status	−.04	.11	−.17	−.28	.13	.97	.44
Employment status	.06	−.06	.17	−.53	.54	−.04	.42
Present personal circumstances	−.02	−.21	.13	.09	−.51	−.73	−.30
Relationship with former partner	.66	−.45	.61	.32	.14	.31	−.15
Years lived with former partner	.03	−.12	−.02	−.22	−.30	.99	.21
Number of children for maintenance	−.10	.03	.12	−.10	.27	−.08	−.50
Years separated	−.08	.34	.71	−.02	−.12	.73	−.57
Assets at separation	−.33	−.03	.54	.67	−.33	−.02	.27

Classification Results (Number of Cases)

Actual group	Per cent correctly classified*	Predicted group							
		1	2	3	4	5	6	7	8
1	36	149	53	52	44	24	33	21	39
2	18	72	79	58	54	35	40	31	62
3	28	9	7	37	13	36	7	16	8
4	85	0	0	0	3	0	0	0	0
5	30	13	11	75	13	76	12	42	12
6	32	3	0	3	3	0	7	2	4
7	36	13	17	55	21	82	32	186	114
8	48	5	11	1	8	6	35	52	108
Total	32								
P.R.E. = .16									

* Individual discrepancies in percentages may appear as a result of weighting procedures

and those receiving privately-agreed maintenance. Fifty per cent of the cases were correctly classified, a proportional reduction of error of 29 per cent.

While this is a good solution, it is not the final analysis. On the one hand, a strong point of this classification is its general ability to correctly classify (60 per cent) those being paid under a private agreement (together with correctly classifying more than half the cases with nothing due or with something due but not paid). On the other hand, this solution correctly classifies only 38 per cent of those receiving court-enforceable maintenance (classifying about one-quarter each as 'due but not paid' and 'paid under a private agreement').

Table 4.8: Second discriminant analysis: 3 groups, 12 variables

Distribution of valid cases (that is, respondents both classifiable and providing valid responses to all of the independent variable questions)

Group	*Number of cases* Unweighted	Weighted
1. Maintenance not due	951	845
2. Maintenance due but not paid	353	414
3. Maintenance paid	702	745
Total	2006	2004

Standardised Canonical Discriminant Function Coefficients

Independent variable	Discriminant function 1	2
Access frequency	−.47	.57
Gender	.61	.12
Age	−.07	−.24
Size of place of residence	−.06	−.04
Pension status	.05	.02
Employment status	−.01	.03
Present per sonal circumstances	−.06	.38
Relationshi p with former partner	−.54	−.49
Years lived with former partner	−.02	−.01
Number of children for maintenance	.11	.06
Years separated	.07	.53
Assets at separation	.37	−.05

Classification Results (Number of Cases)

Actual group	Per cent correctly classified*	Predicted Group 1	2	3
1	57	480	197	168
2	60	70	247	97
3	66	82	169	493
Total	61			
P.R.E. = .44				

* Individual discrepancies in percentages may appear as a result of weighting procedures.

This difficulty, together with the fact that after Stage Two comes into operation virtually all new maintenance arrangements will be automatically enforceable, suggests the value of collapsing the court-enforceable and privately-agreed groups of respondents receiving maintenance.

The results of this analysis may be seen in Table 4.8: 61 per cent of the cases are correctly classified; more than half of each individual group is correctly classified; overall, the solution proportionally reduces error by 44 per cent.

Reducing the Number of Independent Variables

Generally speaking, the removal of any independent variable from a solution will reduce its predictive/explanatory power. On the other hand, it will increase the number of valid cases in the analysis (by reducing the number of cases for which valid values are missing). It may also lead to a more stable

Table 4.9: Final discriminant analysis: 3 groups, 3 variables

Distribution of valid cases (that is, respondents both classifiable and providing valid responses to all of the independent variable questions)

Group	*Number of Cases* Unweighted	Weighted
1. Maintenance Not Due	1241	1150
2. Maintenance Due But Not Paid	413	488
3. Maintenance Paid	804	861
Total	2458	2499

Standardised Canonical Discriminant Function Coefficients

Independent variable	Discriminant function 1	2
Access Frequency	.57	.77
Gender	−.38	.13
Relationship with Former Partner	.65	−.52

Classification Results (Number of Cases)

Actual group	Per cent correctly classified*	Predicted Group 1	2	3
1	52	598	279	273
2	54	71	264	153
3	73	75	155	631
Total	60			
P.R.E. = .37				

* Individual discrepancies in percentages may appear as a result of weighting procedures.

solution by reducing the possibility of multicollinearity. But, most importantly, it provides for a more parsimonious, readily intelligible model.

As with the reduction in the number of groups in the solution the removal of variables must be done a step at a time. Since at any one step in the analysis each variable's contribution is determined after controlling for the effects of its interrelationship with each of the other variables, the removal of any one variable can drastically alter the importance of the others.

Step by step reduction of variables contributing relatively little to the model's discriminatory ability yielded the solution presented in Table 4.9. Using only three variables, none of which relate necessarily or directly to either parent's ability to support the child/ren of their previous relationship, to the child/ren's real financial needs or to either parent's financial, moral, or legal responsibilities — 'frequency of access', 'gender', and 'the relationship with the former partner' — it is possible to correctly classify 60 per cent of respondents into one or another of three maintenance categories: those with nothing ordered or agreed, those with something ordered or agreed but not paid, and those in receipt of child maintenance. Error is proportionately reduced by 37 per cent.

The fact that the maintenance circumstances of such a large proportion of custodial parents could be correctly predicted on the basis of three irrelevant characteristics argues convincingly for the need for amounts to be much more closely related to the financial capacities of the parents and the number of children for whom support is required. The passage of the *Child Support (Assessment) Act* has ensured this for the population covered by that Act, but its provisions are not available for the pre-Scheme parents whose circumstances are described in this chapter. Indeed, neither are they available for the parents whose orders or approved agreements are registered with the Child Support Agency, and who are the major focus of this evaluation.

Part Three
Non-Custodial Parents

As noted in Chapter 1, acquisition of a pre-Scheme custodial parent sample was difficult, to say the least. While the Department of Social Security could mail self-selecting questionnaires on the Institute's behalf to Family Allowees, a proportion of whom would be separated from their child/ren's other parent, no similar source of non-custodial parent names and addresses was available. As the most promising of unpromising sources, custodial parents were asked to provide the names and addresses of their former partners. Of 3755 custodial parents, only 1040 either could or would do so. With 54 questionnaires returned 'address unknown', 204 non-custodial parents responded.

Those who responded demonstrated a considerable sampling/response

bias: according to the reports of custodial parents, they were more likely to have had pre-Scheme maintenance payable and to have been paying that maintenance than was the general population of non-custodial parents (see Table 4.10). Furthermore, comparing responses of both partners to previous relationships, those non-custodial parents who did respond present

Table 4.10: Pre-Scheme maintenance circumstances as reported by custodial and non-custodial parents

	Former Couples		
	All custodial parents %	Custodial parents %	(All) non-custodial parents %
Maintenance not due	47	30	25
Maintenance due but not paid	19	14	6
Maintenance paid	34	56	69

Table 4.11: Non-custodial parent discriminant analysis

Distribution of valid cases (that is, respondents both classifiable and providing valid responses to all of the independent variable questions)

	Number of cases	
Group	Unweighted	Weighted
1. Maintenance not due	57	39
2. Maintenance due but not paid	18	19
3. Maintenance paid	123	133
Total	198	191

Standardised Canonical Discriminant Function Coefficients

	Discriminant function	
Independent variable	1	2
Access frequency	.19	.82
Gender	.96	−.09
Relationship with former partner	.19	−.54

Classification Results (Number of Cases)

	Per cent	Predicted Group		
Actual group	correctly classified*	1	2	3
1	35	14	5	21
2	40	3	5	8
3	75	5	28	100
Total	63			
P.R.E. = .21				

* Individual discrepancies in percentages may appear as a result of weighting procedures.

themselves in a more 'favourable' light than do their former partners. [See Snider 1989, and Snider and Merlo 1989]

These two sources of response bias will necessarily cloud analysis. In analysis of variance terms, for example, there is little variation to explain, since 69 per cent reported that they were currently paying maintenance and 81 per cent of those who said they were not also said that none was due. In discriminant analysis there will be an increased likelihood that the predicted classification of any given individual will be into the disproportionately large group (in this case, 'Maintenance Paid').

As may be seen in Table 4.11, this is exactly what happened when non-custodial parent data were subjected to the final custodial parent discriminant analysis used for custodial parents. Even so, the solution's similarity to that produced by an evaluation of custodial parent data lends support to the earlier findings: using only gender, frequency of access visits and the nature of the previous relationship, 63 per cent of non-custodial parents' maintenance situations could be correctly classified, proportionately reducing error by 21 per cent.

Appendix 4.1: Relationship between independent variables and custodial parents' maintenance situations. Tables in this appendix present the distribution of custodial parents into one of the eight maintenance groups (the terminal points of Figure 4.1) by characteristics of the twelve independent variables.

	Gender		*Current Age*						
Maintenance situation	Male %	Female %	Under 21 %	21-25 %	26-30 %	31-35 %	36-40 %	41-45 %	Over 45 %
Maintenance never sought	38	22	60	37	25	22	18	21	22
Maintenance not due	44	21	26	25	24	23	19	21	36
Court enforceable — never paid	3	7	2	3	10	7	7	6	3
Privately agreed — never paid	1	0	0	0	1	0	0	0	0
Court enforceable — not now paid	4	12	0	5	10	13	14	13	8
Privately agreed — not now paid	0	1	0	3	1	1	1	1	0
Court enforceable — paid	6	24	0	12	17	22	28	28	26
Privately agreed — paid	3	13	12	15	12	12	13	10	5
Mean $ per week per child	2.15	8.84	2.57	6.16	6.77	7.96	10.18	9.04	9.66
Mean $ per week per child, if paid	23.27	23.99	20.71	22.88	23.02	22.94	24.48	23.96	33.90
(Number of cases)	(315)	(2867)	(76)	(283)	(592)	(863)	(743)	(421)	(184)

	Relationship with former partner				*Number of children for maintenance*		
Maintenance situation	Married-Divorced %	Married-Separated %	De Facto-Separated %	Never lived together %	1 %	2 %	3 %
Maintenance never sought	14	24	38	57	29	17	19
Maintenance not due	19	24	31	27	25	21	24
Court enforceable — never paid	9	3	6	1	7	7	6
Privately agreed — never paid	0	0	0	0	—	—	—
Court enforceable — not now Paid	17	5	6	2	10	12	9
Privately agreed — not now paid	1	2	3	1	1	2	1
Court enforceable — paid	31	13	5	8	18	26	22
Privately agreed — paid	8	29	11	4	9	15	18
Mean $ per week per child	9.24	11.33	3.51	2.47	7.14	8.55	7.61
Mean $ per week per child, if paid	23.13	27.13	22.05	20.62	27.88	21.36	19.07
(Number of cases)	(1753)	(653)	(404)	(340)	(1557)	(1021)	(359)

*These differences reflect an implicit 'economy of scale' — the total paid is higher with each successive child.

Maintenance situation	*Years lived with former partner* (Complete years) 0 %	1-5 %	6-10 %	11-15 %	>15 %	*Year separated* 1988 %	1986-87 %	1983-85 %	1978-82 %	<1978 %
Maintenance never sought	57	21	18	17	20	23	20	21	19	16
Maintenance not due	27	22	21	19	35	24	25	23	21	18
Court enforceable — never paid	1	11	6	4	2	1	4	5	8	17
Privately agreed — never paid	0	1	0	0	0	1	1	0	0	0
Court enforceable — not now Paid	2	16	12	11	5	1	5	10	17	23
Privately agreed — not now paid	1	1	1	1	1	2	2	1	1	0
Court enforceable — paid	8	18	28	30	23	6	22	28	27	22
Privately agreed — paid	4	9	14	19	15	43	22	12	7	4
Mean $ per week per child	2.48	6.67	9.36	12.59	10.40	16.43	11.26	9.27	7.18	5.38
Mean $ per week per child, if paid	20.44	24.28	22.50	25.88	27.48	33.28	26.04	23.17	21.76	21.12
(Number of cases)	(347)	(896)	(887)	(545)	(255)	(170)	(575)	(760)	(878)	(367)

Maintenance situation	*Frequency of access visits* At least Daily %	2-3 times weekly %	Every few a month %	Once Monthly %	< Once months %	a year %	a year %	Never %
Maintenance never sought	45	18	13	16	18	18	26	34
Maintenance not due	24	17	17	18	20	23	26	29
Court enforceable — never paid	0	2	4	4	7	11	12	9
Privately agreed — never paid	0	0	0	1	0	0	0	1
Court enforceable — not now Paid	4	6	7	13	9	14	16	15
Privately agreed — not now paid	0	1	1	2	1	1	2	1
Court enforceable — paid	7	23	35	33	35	27	14	10
Privately agreed — paid	20	33	23	13	10	6	4	2
Mean $ per week per child	6.76	14.31	14.86	10.89	10.28	7.20	3.72	2.63
Mean $ per week per child, if paid	24.59	25.40	25.68	23.32	22.81	21.57	21.05	22.50
(Number of cases)	(35)	(431)	(491)	(182)	(483)	(215)	(105)	(1180)

Maintenance situation	*Pensioner?* No %	Yes* %	*Working?* No %	Yes %	*Assets at separation* 0 %	< 10 %	10-30 %	30-50 %	> 50 %
Maintenance never sought	21	26	25	22	26	17	12	16	13
Maintenance not due	22	23	23	22	29	22	19	16	17
Court enforceable — never paid	9	5	6	7	9	10	7	8	2
Privately agreed — never paid	0	0	0	0	1	0	0	0	0
Court enforceable — not now Paid	13	10	11	11	12	17	16	11	11
Privately agreed — not now paid	1	1	1	1	2	1	1	0	2
Court enforceable — paid	25	20	21	24	14	22	32	33	41
Privately agreed — paid	9	15	12	12	7	11	13	16	14
Mean $ per week per child	8.36	8.02	7.65	8.89	4.78	6.34	9.74	11.75	14.07
Mean $ per week per child, if paid	24.75	23.33	23.15	24.97	21.87	19.42	21.62	23.68	25.75
(Number of cases)	(1458)	(1724)	(1806)	(1371)	(684)	(450)	(398)	(276)	(283)

* In receipt of a pension or benefit making the respondent prima facie eligible for CSA registration prior to April 1989

Maintenance situation	*Size of place of residence* Capital city %	Major city/town %	Other %	*Present personal circumstances* Married %	De Facto %	Not living together %	Not in a relationship %
Maintenance never sought	22	25	25	18	22	25	27
Maintenance not due	22	21	26	20	26	23	24
Court enforceable — never paid	6	8	6	11	6	6	4
Privately agreed — never paid	0	0	0	0	0	0	0
Court enforceable — not now Paid	12	11	12	18	10	9	8
Privately agreed — not now paid	1	1	1	1	2	1	0
Court enforceable — paid	23	22	21	27	22	22	20
Privately agreed — paid	14	12	9	5	12	14	16
Mean $ per week per child	9.33	7.97	6.78	7.22	7.38	8.50	8.89
Mean $ per week per child, if paid	24.92	23.79	22.47	23.25	21.75	23.75	25.03
(Number of cases)	(1446)	(664)	(1004)	(881)	(417)	(423)	(1461)

5

ATTITUDES TO THE CHILD SUPPORT SCHEME AND PRE-SCHEME MAINTENANCE ARRANGEMENTS

ROSANGELA MERLO

This chapter compares custodial and non-custodial parents' (both registered and not registered with the Child Support Agency) views of pre-Scheme maintenance arrangements, and their attitudes toward fundamental aspects of the Child Support Scheme. Control group responses to the child maintenance reforms are also examined. Further comparison is made between support for the Child Support Scheme and arrangements made prior to its introduction.

The data used are part of the Institute's samples of pre-Scheme custodial, non-custodial and control group parents and the first 6000 custodial and non-custodial Child Support Agency registrants.

Individual characteristics of each system of maintenance collection are examined in the light of analysis presented in previous studies to determine what factors, if any, affect views.

Summary measures of attitudes towards pre-Scheme maintenance arrangements and the Child Support Scheme are created and multivariate regression analysis is performed on these summary measures to establish whether determinants of attitudes hold up when controlling for various demographic and maintenance related characteristics.

Results show that custodial parent dissatisfaction with the pre-Scheme situation is influenced by factors associated with the (non) receipt of maintenance. Non-custodial parents were generally satisfied with the pre-Scheme arrangements, more so if maintenance obligations were complied with. Near universal support for the Child Support Scheme is expressed by both custodial and control group parents. In contrast, non-custodial parents are generally either dissatisfied or indifferent to the scheme as a whole.

Support for the Child Support Scheme was greater among custodial parents registered with the Child Support Agency, while on-Scheme non-custodial parents expressed strongest opposition.

Earlier Studies

In 1987 the Australian Institute of Family Studies conducted interviews with over 500 divorced custodial and non-custodial parents, previously interviewed in 1984 (see Chapter Three). The primary focus of these interviews was on the relationship between parents and children. However, in anticipation of the child support reforms, a series of questions was included to assess respondents' attitudes to the proposed changes. Analysis of these attitudes is reported in an earlier paper (Harrison 1989) and in Chapter Three of this Report.

In that analysis, Harrison found that 92 per cent of respondents agreed that non-payers with a maintenance obligation should be forced to pay, with women expressing more support than men.

Fifty-nine per cent of the total sample supported government collection of maintenance. Women were significantly more in favour (74 per cent) than were men (40 per cent). Custodial parents were generally more supportive than were non-custodial parents. Family composition after divorce and whether maintenance was actually being paid had no significant effect on attitudes. Men's support for government collection decreased as the amount of maintenance paid (measured as a proportion of income) increased. Support among women was little affected by the amount of maintenance received.

Seventy per cent of women supported the idea of relating levels of maintenance to the non-custodial parents' income while a significantly lower proportion of men (45 per cent) agreed. Neither differences in personal income nor repartnering after divorce had any significant effect on the level of support.

A 1985 Morgan Gallup poll found strong support (76 per cent) for ensuring payment by non-custodial parents who have a maintenance liability and yet do not pay. Support for government collection of maintenance was expressed by 64 per cent of those polled, and was strongest among women and those over 50 years of age.

The question of government collection of maintenance was also examined in a 1988 Saulwick Age poll. Eighty per cent of respondents supported automatic deduction via a government agency, with the strongest opposition coming from males, those never married, blue-collar workers and people aged 18–24 years.

Findings from a 1988 survey conducted by the Market Research Workshop in conjunction with Quadrant Research Services indicated overwhelming support (91 per cent) for compelling payment by those who fail to meet their maintenance obligations. Eighty-six per cent of those surveyed agreed to the deduction of maintenance from the non-custodial parent's salary by a government agency. Eighty-one per cent supported increasing the level of maintenance to be paid, while 86 per cent agreed to obliging sole parent pensioners to use the proposed Child Support Scheme.

In all cases support was strongest among women and custodial parents.

Thus previous surveys of attitudes indicate strong support for aspects of the Child Support Scheme from the general community and from custodial parents. Not unexpectedly, the attitudes of non-custodial parents have been somewhat more circumspect. The present study is able to examine attitudes and their determinants in much greater depth than has been possible in the past.

Attitudes to Pre-Scheme Maintenance Arrangements

As a part of the Child Support Scheme Evaluation (CSSE), respondents were asked their opinions about several aspects of the maintenance arrangements prior to the introduction of the Child Support Scheme:

Overall, how do you feel about each of the following aspects of maintenance?

The amount ordered or agreed
The amounts actually paid
The regularity of payment
The way it is paid
The courts' power to enforce maintenance
The procedures for varying maintenance.

Responses were measured on a pre-coded five point scale ranging from (1) 'very unhappy' to (5) 'very happy'.

Generally, custodial parents expressed dissatisfaction with the pre-Scheme maintenance situation, while non-custodial parents were more inclined to be satisfied. As is shown in Table 5.1a, less than one quarter of pre-Scheme custodial parents were happy or very happy with the amount ordered or agreed or with the amount paid. In contrast, almost half of the pre-Scheme non-custodial parents were happy or very happy with the level of maintenance to be paid and 53 per cent with the amount they actually paid. While over one third of custodial parents registered with the Child Support Agency were satisfied with the amount due, they expressed much greater dissatisfaction with the pre-Scheme amounts paid (76 per cent were either unhappy or very unhappy) than pre-Scheme custodial parents (see Table 5.1b). On-Scheme non-custodial parents were less content than their pre-Scheme counterparts with the amount to be paid (42 per cent) and the amount paid (39 per cent).

There were also marked differences between custodial parents and non-custodial parents, as well as between pre-Scheme and on-Scheme custodians, concerning the regularity of payment. Pre-Scheme custodial parents were almost evenly divided on this question, with 44 per cent being unhappy or very unhappy, and 41 per cent expressing satisfaction. In contrast, 67 per cent of pre-Scheme non-custodial parents were happy with the regularity of payment, while only 5 per cent said they were unhappy.

Table 5.1a: Marginal distributions of pre-Scheme respondents' satisfaction with pre-Scheme maintenance arrangements

	Satisfaction with amount ordered/agreed		Satisfaction with amounts actually paid		Satisfaction with regularity of payment		Satisfaction with method of payment		Satisfaction with court's enforcement		Satisfaction with the procedures for varying maintenance	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Very Unhappy	21.5	7.8	35.5	6.5	33.2	4.0	18.7	7.1	37.6	24.0	35.5	26.0
Unhappy	22.0	4.9	20.2	10.0	11.1	1.1	5.4	3.4	10.8	14.1	15.9	13.6
Indifferent	32.0	41.7	23.8	30.7	14.2	27.7	14.2	25.7	16.2	35.2	27.9	38.3
Happy	19.5	32.3	15.9	39.3	26.5	40.4	39.8	43.5	18.7	18.7	14.1	15.5
Very Happy	5.0	13.3	4.6	13.5	15.0	26.8	21.9	20.3	16.7	8.0	6.6	6.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Mean*	2.6	3.4	2.3	3.4	2.8	3.8	3.4	3.7	2.7	2.7	2.4	2.6
Standard Deviation	1.2	1.0	1.2	1.0	1.5	1.0	1.4	1.1	1.5	1.2	1.3	1.2
N	2111	145	2060	154	1996	141	1916	152	1859	113	1641	129

* On a scale of 1 (Very unhappy) to 5 (Very happy)

Table 5.1b: Marginal distributions of on-Scheme respondents' satisfaction with pre-Scheme maintenance arrangements

	Satisfaction with amount ordered/agreed		Satisfaction with amounts actually paid		Satisfaction with regularity of payment		Satisfaction with method of payment		Satisfaction with court's enforcement		Satisfaction with the procedures for varying maintenance	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Very Unhappy	20.0	23.5	55.3	19.7	65.7	8.5	30.4	12.7	54.3	37.9	43.5	47.1
Unhappy	23.6	18.3	20.6	19.1	16.8	8.2	13.5	7.2	14.3	11.3	19.7	13.2
Indifferent	22.0	24.9	11.2	24.6	5.3	29.1	16.9	20.7	8.3	28.8	22.5	27.2
Happy	28.4	27.2	11.1	30.3	8.5	40.8	30.5	41.7	12.7	18.1	10.8	10.4
Very Happy	6.0	6.1	1.8	6.3	3.7	13.4	8.7	17.7	10.4	3.9	3.5	2.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Mean*	2.8	2.7	1.8	2.8	1.7	3.4	2.7	3.4	2.1	2.4	2.1	2.1
Standard Deviation	1.2	1.3	1.1	1.2	1.1	1.1	1.4	1.2	1.4	1.3	1.2	1.2
N	1616	617	1517	582	1510	563	1438	585	1562	591	1262	547

* On a scale of 1 (Very unhappy) to 5 (Very happy)

Among Child Support Agency registrants, 82 per cent of custodial parents were displeased with the frequency of pre-Scheme payments compared with 17 per cent of non-custodians.

There is little difference between pre-Scheme custodial and non-custodial parents' attitudes toward the method of payment, the courts' power to enforce maintenance and the procedures for varying maintenance. In general, the majority of both groups were satisfied with the method of payment but were unhappy with the courts' enforcement ability and the procedures for varying maintenance. In all cases, custodial parents were slightly more dissatisfied than non-custodial parents. Among on-Scheme respondents, however, custodial and non-custodial parents had substantially different views on the method of payment. Forty-four per cent of custodians expressed dissatisfaction compared with only 20 per cent of non-custodians.

As with respondents in the pre-Scheme sample, both on-Scheme custodial and non-custodial parents were unimpressed with the ability of courts to enforce payments and with maintenance varying procedures. It should be noted that a substantially greater level of dissatisfaction with these two issues was expressed by the on-Scheme respondents. While this may, in part, be due to the fact that their on-Scheme experiences have highlighted the deficiencies in the pre-Scheme maintenance arrangement, it must be remembered that, unlike the pre-Scheme sample, all on-Scheme respondents had court-enforceable maintenance orders and thus would have been directly affected by the two issues in question. Comparison of the means, however, shows that on-Scheme respondents were overall unhappier than their pre-Scheme counterparts with each aspect of the pre-Scheme arrangements.

Further analysis within the pre-Scheme sample suggests that custodial parent dissatisfaction with the pre-Scheme maintenance arrangements may have been understated. Forty-nine per cent of custodial parents (averaged over the six questions) failed to answer at least one of these opinion questions. Examination of those failing to answer revealed that 90 per cent (two thirds of whom had sought maintenance) were not receiving any payments, thereby claiming the questions were not applicable. Such respondents, as is discussed later in this chapter, are those most likely to have a negative attitude toward the pre-Scheme maintenance situation.

It is also worth noting that custodial parents tended to express a more definite view than non-custodial parents. On all six questions, at least one quarter of all pre-Scheme non-custodial parents and 20 per cent of on-Scheme non-custodial parents opted for the 'neither happy nor unhappy' category. On average, 21 per cent of pre-Scheme and 17 per cent of on-Scheme custodial parents expressed indifference compared with 33 per cent of pre-Scheme and 31 per cent of on-Scheme non-custodials. The highest level of indifference among non-custodial parents was 42 per cent on the amount ordered or agreed, while among custodial parents it was only 32 per cent.

Gender Differences

In the past, studies have suggested fairly strong gender differences in attitudes towards aspects of the proposed maintenance reforms. This, then, raises the question of whether gender differences exist in attitudes toward the current system of maintenance collection. Unfortunately, given the fact that some 90 per cent of custodial parents are women, previous studies have not for the most part been able to distinguish between gender and custodial status. Stratified sampling procedures employed when drawing the Child Support Scheme Evaluation pre-Scheme sample (see Chapter One), help to distinguish between these two factors by allowing comparison of 1271 custodial fathers not only with custodial mothers, but also with 204 non-custodial fathers.

Table 5.2: Satisfaction with pre-Scheme maintenance arrangements by gender: pre-Scheme respondents

Satisfaction with	Very unhappy	Unhappy	Indifferent	Happy	Very happy	Total	N
Amount ordered or agreed							
CP Females	21.3	22.1	31.9	19.9	4.8	100	2001
CP Males	25.5	19.7	33.4	12.8	8.6	100	110
NCP Males	7.5	4.7	42.2	32.2	13.4	100	140
Amount actually paid							
CP Females	35.5	20.1	23.8	16.2	4.4	100	1945
CP Males	36.5	21.9	22.9	11.4	7.3	100	115
NCP Males	6.2	9.4	31.3	39.5	13.6	100	148
Regularity of payment							
CP Females	33.1	10.9	14.0	26.6	15.4	100	1901
CP Males	33.3	15.2	17.9	25.4	8.2	100	96
NCP Males	3.3	1.2	27.6	40.1	27.8	100	136
Method of payment							
CP Females	18.5	5.2	13.8	40.2	22.3	100	1819
CP Males	22.7	10.0	20.6	32.0	14.7	100	97
NCP Males	7.1	3.5	25.5	43.5	20.4	100	147
Courts' enforcement ability							
CP Females	37.3	10.6	16.2	18.9	17.0	100	1745
CP Males	44.6	12.7	16.3	15.2	11.2	100	114
NCP Males	23.4	13.6	35.8	18.9	8.3	100	127
Procedures for varying maintenance							
CP Females	35.2	15.9	27.9	14.3	6.7	100	1542
CP Males	39.5	16.0	28.2	10.7	5.6	100	99
NCP Males	25.8	13.2	38.6	15.9	6.5	100	124

Note: Unweighted data to allow gender comparisons
No differences between custodial males & females significant at $p<.01$
Differences between custodial males & non-custodial males significant at $p<.01$

As may be seen in Table 5.2, no significant differences were found between custodial fathers' and custodial mothers' views of the pre-Scheme situation. This is in spite of the fact that custodial fathers are much less likely to be receiving maintenance than custodial mothers (see Chapter 4).

Table 5.2 not only compares custodial men with custodial women, but also custodial men with non-custodial men (there were too few non-custodial women respondents to allow comparison with custodial women). The real difference, as is shown, is between those with and without custody. By combining the 'unhappy' and 'very unhappy' categories, dissatisfaction with the amount ordered or agreed is expressed by 45 per cent of custodial fathers and by only 12 per cent of non-custodial fathers. This polarisation of opinion of custodial and non-custodial men holds true for the amount actually paid, the method of payment and the regularity of payment. Custodial fathers were also more dissatisfied than non-custodial fathers with the courts' enforcement ability and the procedures for varying maintenance, however differences were not as marked.

In view of this it can be said that attitudes to the pre-Scheme maintenance arrangements are not affected by gender, rather they are affected by custodial status. Regardless of sex, the majority of custodial parents were dissatisfied with maintenance collection prior to the Child Support Scheme.

What Affects Attitudes to the Pre-Scheme Arrangements?

Bivariate correlations

Table 5.3a presents correlations between a number of independent variables (see Appendix 5.1 for a description of how the variables are scored) and the six satisfaction items for the pre-Scheme sample. Generally, the few strong correlations centre around the payment of maintenance: whether any is paid, whether any has ever been paid, and whether it is paid as specified in the order or agreement. As would be expected, the closer the payments reflect orders/agreements, the greater the satisfaction with the pre-Scheme system.

For custodial parents, there is a significant, positive association between whether any maintenance is paid and all six attitudinal questions. That is, people receiving maintenance (only about one-third of custodial parents) tend to be satisfied with their maintenance situation prior to the Child Support Scheme. The strongest correlates are with the amount actually paid (.39), the regularity of payments (.59), the method of payment (.55) and the courts' ability to enforce maintenance orders and agreements (.41).

All statistically significant correlations between attitudes to the pre-Scheme arrangements and whether parents have a court order or court

approved agreement for maintenance are negative. Custodial parents who have a *court order or agreement* tend to be dissatisfied with the amount specified, the amount paid, the regularity of payment, the courts' enforcement ability and the procedures for varying maintenance. In contrast, custodial parents who have a *private agreement* for the payment of periodic maintenance are more satisfied with all six aspects of the pre-Scheme arrangements (they are also more likely to be receiving maintenance (see Chapter 4).

Custodial parents who had never been paid periodic maintenance were, understandably, generally dissatisfied with all aspects of maintenance payment prior to the Child Support Scheme. So, too, were custodial parents who were divorced from their former partner (as opposed to those only separated or who had never lived together). Sole parents were happier than repartnered parents, and custodial parents on a major social security pension or benefit were more satisfied than non-pensioners. Custodial parents most recently separated from their former partner are more likely to be satisfied with current arrangements than those who separated some time ago.

Among non-custodial parents, those complying with their maintenance obligations tend to be happy with the pre-Scheme arrangements. They are also more likely to be satisfied if they have a private agreement as opposed to a court order for maintenance. Satisfaction with the amount ordered or agreed and with the amount paid tended to be expressed by non-custodial parents who had previously cohabited with their former partner.

Non-custodial parents who have divorced and those with a court order for the payment of maintenance (that is, those who had some court contact) tend to be dissatisfied with the ability of the court to enforce maintenance.

Non-custodial parent pensioners expressed dissatisfaction with the amount due, the regularity of payment and the courts' enforcement ability. Again, as pensioners were less likely to have maintenance obligations and even less likely to be paying maintenance, this reflects the fact that satisfaction with pre-Scheme arrangements is characteristic of non-custodial parents who pay maintenance.

A similar picture is presented in Table 5.3b showing correlations for the on-Scheme sample data. Where the payment of maintenance was made and where payments reflected what was ordered or agreed, both custodial and non-custodial parents expressed satisfaction with pre-Scheme arrangements. Correlations are substantially weaker than those found with the pre-Scheme data so little else may be said for the on-Scheme parents.

Summary Attitudes

In order to establish whether the six individual items may be scaled to produce a single measure of satisfaction with the pre-Scheme maintenance arrangements, the data were subjected to:

Table 5.3a: Pre-Scheme respondents' satisfaction with pre-Scheme maintenance arrangements by selected indicators: correlation coefficients

	Satisfaction with amount ordered/agreed		Satisfaction with amounts actually paid		Satisfaction with regularity of payment		Satisfaction with method of payment		Satisfaction with court's enforcement		Satisfaction with the procedures for varying maintenance	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Whether any maintenance is paid	.15*	.24*	.39*	.18	.59*	.38*	.55*	.15	.41*	.17	.24*	.13
Whether any maintenance is due	.04	.11	.00	.01	.10*	.07	.14*	.02	.04	.03	.02	−.03
Whether maintenance was sought	−.06*	−.04	−.09*	−.03	−.03	.06	.02	−.05	−.02	−.16	−.04	−.08
Court order/agreement for maintenance	−.18*	−.16	−.26*	−.16	−.21*	−.27*	−.07*	−.17	−.12*	−.23*	−.18*	−.21*
Private agreement for maintenance	.22*	.20*	.29*	.14	.30*	.31*	.18*	.19	.21*	.27*	.24*	.24*
Whether maintenance was ever paid	.05	.15	.14*	.04	.26*	.07	.35*	.03	.20*	.04	.11*	−.02
Ever lived with former partner	−.03	.19*	−.03	.19*	−.01	−.01	−.02	.08	.01	.03	.02	.02
Married to former partner	−.09*	.10	−.04	.06	.01	−.02	−.01	.04	.00	−.01	−.02	.01
Divorced from former partner	−.21*	−.06	−.19*	−.03	−.14*	−.16	−.08*	−.04	−.15*	−.26*	−.16*	−.20*
Personal income	−.02	.17	.04	.09	.05	.19	−.01	.12	−.11*	.31*	−.09*	.34*
Age	−.14*	.08	−.10*	.07	.00	−.11	.00	.14	.02	.12	−.06*	.22*
State of maintenance payments	−.15*	−.32*	−.38*	−.18*	−.58*	−.35*	−.55*	−.22*	−.38*	−.30*	−.23*	−.15
Current partnership status	.10*	.07	.14*	.07	.17*	.13	.11*	.02	.18*	.19	.13*	.07
Pension status	.11*	−.30*	.12*	−.04	.13*	−.05	.10*	−.19*	.18*	−.24*	.14*	−.14
Time since separation (in years)	−.21*	−.04	−.23*	.05	−.22*	−.15	−.10*	.05	−.21*	−.16	−.18*	−.13

* Statistically significant at $p < .01$ or better.

Note: Pearson's R

Table 5.3b: On-scheme respondents' satisfaction with pre-Scheme maintenance arrangements by selected indicators: correlation coefficients

	Satisfaction with amount ordered/agreed		Satisfaction with amounts actually paid		Satisfaction with regularity of payment		Satisfaction with method of payment		Satisfaction with court's enforcement		Satisfaction with the procedures for varying maintenance	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Whether any maintenance was paid	−.04	.13*	.30*	.13*	.30*	.17*	.22*	.23*	.29*	.22*	.10*	.10*
Whether any maintenance was due	.04	.08	.01	.06	.03	−.03	.02	.03	.02	.04	.02	.07
Whether maintenance was sought	.03	.03	.02	.00	.05	−.04	.02	.00	.03	−.03	.04	.03
Whether maintenance was ever paid	−.06*	.09	.22*	.06	.17*	.14*	.30*	.13*	.17*	.09	.05	.04
Ever lived with former partner	.01	.09	−.01	.05	−.01	.03	−.08*	.07	−.07*	.08	−.05	−.01
Married to former partner	.05	.08	.02	.08	.02	.01	−.04	.03	−.05	.08	.02	.04
Divorced from former partner	−.03	.05	−.07*	.03	−.05	.00	−.01	.00	−.07*	.01	−.06	.00
Age	−.08*	.03	−.02	.00	.00	.07	−.04	.08	−.06*	.12*	−.09*	.05
State of pre-scheme maintenance payments	.03	−.21*	−.41*	−.19*	−.40*	−.24*	−.31*	−.29*	−.35*	−.26*	−.14*	−.15*
Current partnership status	−.05	−.14*	−.02	−.14*	−.01	−.08	−.01	−.03	−.02	−.05	−.09*	−.06
Pension status	.06*	−.04	.01	−.07	.01	−.01	−.01	.03	.05	.01	.11*	.02
Time since separation (in years)	−.16*	.02	−.12*	.04	−.12*	.05	.00	.02	−.10*	.06	−.14*	.00

* Statistically significant at $p < .01$ or better

Note Pearson's R

- a principal components factor analysis to assess validity (the extent to which the items can be thought of as aspects of a wider theoretical construct); and
- a reliability analysis to ensure that results are not due to random measurement error and would consistently yield similar results were the analysis reproduced.

Table 5.4 presents results from the factor analysis. Only one factor was extracted for pre-Scheme and on-Scheme custodial parents and on-Scheme non-custodial parents. Factor loadings (which may range from 0 to ±1) were generally quite high (.5 to .8) and each variable has significant communality for scaling. All six individual satisfaction items will therefore produce a valid summary measure of custodial and on-Scheme non-custodial parent attitudes to maintenance arrangements prior to the introduction of the Child Support Scheme.

This, however, does not hold true for pre-Scheme non-custodial parents, as analysis of this sample produced two factors. The four items measuring satisfaction with amount ordered/agreed, amount paid, regularity and method of payment loaded highly on one, while satisfaction with the courts' enforcement ability and procedures for varying maintenance orders/agreements produced another. Thus, unlike the three other samples, pre-Scheme non-custodial parents see issues relating to the actual payment of maintenance and the formal/judicial procedures relating to maintenance on two distinct dimensions.

Table 5.5 presents results from the reliability analysis on the summary measure for all samples. The reliability of the scales is measured by the 'alpha' statistic. Ranging from zero (completely unreliable) to one (perfect reliability), the alpha levels of .84 for pre-Scheme custodial parents, .77 for on-Scheme custodial parents, and .83 for on-Scheme non-custodial parents are sufficient to conclude that summary scales would produce reliable measures for these samples.

Scales were created by summing the individual items and were then converted to metric variables with values ranging from zero, indicating dissatisfaction, to one, indicating satisfaction.

Due to the validity question surrounding the six-item scale for pre-Scheme non-custodial parents, and because of the small number of cases in certain categories of other variables, further analysis of attitudes to the pre-Scheme arrangements is limited to pre-Scheme custodial parents and on-Scheme custodial and non-custodial parents.

The Importance of Determinants

To assess the relative impact of each of the factors discussed previously, all independent variables were regressed on the satisfaction with pre-Scheme maintenance arrangements scale. Table 5.6 presents the standardised and

Table 5.4: Principal components analysis satisfaction with pre-Scheme maintenance arrangements

	Pre-Scheme Respondents					On-Scheme Respondents			
	Custodial parents		*Non-custodial parents*			*Custodial parents*		*Non-custodial parents*	
	Factor I loading	Communality	Factor I loading	Factor II loading	Communality	Factor I loading	Communality	Factor I loading	Communality
Satisfaction with amount ordered/agreed	.67	.46	.84	.33	.81	.48	.23	.81	.66
Satisfaction with amount actually paid	.83	.68	.81	.23	.71	.79	.63	.83	.69
Satisfaction with regularity of payment	.78	.62	.73	.15	.55	.78	.61	.72	.51
Satisfaction with method of payment	.72	.52	.81	.09	.67	.59	.35	.74	.55
Satisfaction with courts' enforcement	.74	.55	.17	.90	.84	.76	.58	.67	.46
Satisfaction with procedures for varying maintenance	.74	.55	.23	.89	.84	.72	.52	.66	.43
Eigenvalue	3.4		3.3	1.1		2.9		3.3	
% of Variance	56.4		54.8	18.9		46.8		55.0	

Note: Factor loadings were obtained using Varimax rotation where appropriate

Table 5.5: Reliability analysis of additive scale satisfaction with pre-Scheme maintenance arrangements

		Pre-Scheme Respondents				*On-Scheme Respondents*			
		Mean	Standard Deviation	N	Alpha if item deleted	Mean	Standard Deviation	N	Alpha if item deleted
Satisfaction with amount ordered/agreed	CP	2.5	1.1	1296	.83	2.7	1.2	1122	.78
	NCP	3.3	1.0	106	.77	2.8	1.2	488	.79
Satisfaction with amount actually paid	CP	2.2	1.2	1296	.80	1.8	1.1	1122	.71
	NCP	3.3	1.0	106	.79	2.8	1.2	488	.79
Satisfaction with regularity of payment	CP	2.7	1.5	1296	.81	1.6	1.1	1122	.72
	NCP	3.8	1.0	106	.81	3.4	1.1	488	.81
Satisfaction with the way it is paid	CP	3.3	1.4	1296	.82	2.7	1.4	1122	.77
	NCP	3.5	1.1	106	.80	3.4	1.2	488	.81
Satisfaction with the courts' enforcement	CP	2.8	1.5	1296	.82	2.1	1.4	1122	.72
	NCP	2.7	1.2	106	.82	2.4	1.2	488	.82
Satisfaction with procedures for varying maintenance	CP	2.4	1.3	1296	.82	2.1	1.2	1122	.72
	NCP	2.6	1.1	106	.80	2.1	1.2	488	.82

	Alpha	Mean inter-item correlation	Scale mean	Scale standard deviation	Alpha	Mean inter-item correlation	Scale mean	Scale standard deviation
Custodial Parents	.84	.47	0.4	0.2	.77	.37	0.3	0.2
Non-custodial Parents	.83	.45	0.6	0.2	.83	.46	0.5	0.2

unstandardised partial regression coefficients resulting from this analysis.

It is clear from these results that the single most important characteristic affecting views on the pre-Scheme maintenance situation is whether any pre-Scheme maintenance was paid.

Among pre-Scheme custodial parents, the payment of pre-Scheme maintenance (Beta = .53) was three times as important as any other independent variable. The unstandardised partial regression coefficient indicates that those receiving maintenance were 27 per cent more likely to be satisfied with their maintenance situation than those receiving no maintenance at all, independent of any other characteristic in the analysis.

While this variable is also the most important explanatory variable for the on-Scheme custodians and non-custodians, its effect is twice as strong among the pre-Scheme custodians.

Interestingly, whether maintenance was ever sought is the second most influential factor (Beta = −.17) in the pre-Scheme analysis, despite the fact that bivariate results showed its effect was negligible. Regardless of whether anything was paid and removing all other effects, pre-Scheme custodians who had sought maintenance were 20 per cent more likely to have a negative opinion of the pre-Scheme arrangements than were those who did not seek maintenance. This could, perhaps, be the result of the financial and emotional costs custodians may incur when trying to obtain maintenance from the non-custodial parent. Also, seeking maintenance is surely an indicator of a greater concern about maintenance.

Related to this is the fact that custodians without anything due to them are 13 per cent more likely to be happy with the current arrangements than those entitled to receive maintenance. Again, this is nett of all other influences.

Other significant factors affecting attitudes among the pre-Scheme sample include whether the custodian was divorced, pension status, whether maintenance had ever been paid, the amount due, and whether the custodian had cohabited with the non-custodial parent.

Surprisingly, the time since separation (which was significantly correlated with each of the individual items of the scale) loses all of its importance once other factors are controlled for. Basic demographic variables such as age, sex, income and partnership status also had little or no effect on attitudes to pre-Scheme arrangements.

Among on-Scheme custodial parents, the only two significant effects are whether any maintenance was paid immediately prior to entry into the scheme (as discussed earlier) and whether maintenance was ever paid pre-Scheme. on-Scheme custodians who were, at some time, paid maintenance prior to Child Support Agency registration were 10 per cent more likely to be satisfied with pre-Scheme arrangements than those who received nothing at all.

Among the on-Scheme non-custodial parents sample, the only significant determinant of satisfaction with pre-Scheme arrangements was whether they paid maintenance prior to registration.

Attitudes to the Child Support Scheme

To assess the level of support for the Child Support Scheme, respondents were asked their opinion of various aspects (both implemented and proposed) of the new system of maintenance collection under the scheme:

Would you please indicate what you think about the following aspects of the new system and proposed future change:

Generally increasing the amounts to be paid for child maintenance

Using the taxation system to collect maintenance

Requiring those receiving pensions or benefits to seek maintenance

Relating the amount of maintenance to the income of the non-custodial parent.

Responses were measured on a pre-coded five point scale ranging from (1) 'strongly disagree' to (5) 'strongly agree'.

Tables 5.7a and 5.7b show percentage distributions on attitudes to all four aspects of the Child Support Scheme for both pre-Scheme and on-Scheme custodial and non-custodial parents as well as for control group parents. As would be expected, the majority of custodial parents (over two-thirds) were in favour of all aspects of the scheme. This result was mirrored by the control group sample, while support for the scheme among non-custodial parents was considerably more temperate.

In the analysis described on the following pages, support for the scheme was measured by summing the number strongly agreeing or agreeing to each aspect. Opposition was calculated by summing those who strongly disagreed and those who disagreed. It should be noted that a considerable portion of each sample had no opinion on the characteristics of the Child Support Scheme.

Only 5 per cent of pre-Scheme custodial parents, 4 per cent of on-Scheme custodial parents, and 5 per cent of the control group parents were *not* in favour of increasing the levels of child maintenance compared with over half (53 per cent) of pre-Scheme and 83 per cent of on-Scheme non-custodial parents. Support for increasing child maintenance was high among custodial parents (78 per cent) and control group parents (71 per cent), higher still among on-Scheme custodial parents (86 per cent). Twenty-one per cent of pre-Scheme non-custodial parents and only 7 per cent of on-Scheme non-custodial parents agreed or strongly agreed that amounts should be raised.

Government collection of maintenance was supported by 88 per cent of on-Scheme custodians, 71 per cent of custodial parents and 69 per cent of control group parents. Considerably less support was expressed by pre-Scheme non-custodians (28 per cent) and on-Scheme non-custodians (19 per cent). Thirteen per cent of custodial parents and 12 per cent of control group parents were opposed to using the tax system as a means of collecting maintenance, while only 5 per cent of on-Scheme custodians were in

Table 5.6: OLS regression analysis of determinants of attitudes to the pre-Scheme maintenance situation pre-Scheme and on-Scheme samples

	Pre-Scheme		*On-Scheme Respondents*			
	Custodial Parents		Custodial Parents		Non-custodial Parents	
	b	Beta	b	Beta	b	Beta
Age (in 10 year groupings)	−.02	−.07	−.01	−.04	.02	.07
Sex	.05	.04	.01	.01	−.08	−.04
Personal Income (in $'000)	.00	.00	N.A	N.A	N.A	N.A
Pension Status	.07	.13*	.03	.07	−.01	−.01
Current partnership status	.01	.03	.00	−.01	−.04	−.09
Time since separation (in years)	.00	.00	−.01	−.09	.00	.08
Lived with former partner	.14	.09*	—	—	—	—
Married to former partner	.04	.05	.05	.05	−.02	−.02
Divorced from former partner	−.07	−.13*	−.02	−.04	−.02	−.04
Maintenance sought pre-scheme	−.20	−.17*	.48	.06	—	—
Any maintenance due pre-scheme	−.13	−.15*	—	—	−.24	−.04
Amount due pre-scheme	.00	.09*	.00	.07	.00	−.10
Any maintenance paid pre-scheme	.27	.53*	.09	.22*	.13	.25*
Maintenance ever paid pre-scheme	.08	.12*	.10	.14*	.04	.02
Constant	.38		.16		.62	
R^2	.37*		.13*		.09*	

* Statistically significant at $p < .01$ or better

Table 5.7a: Marginal distributions of pre-Scheme and control group respondents' attitudes to the Child Support Scheme

	Attitude to increasing levels of child maintenance			Attitude to using tax system to collect maintenance			Attitude to requiring pensioners to seek maintenance			Attitude to relating maintenance to the income of the NCP		
	CP	NCP	Control	CP	NCP	Control	CP	NCP	Control	CP	NCP	Control
Strongly Disagree	1.6	24.7	1.2	5.1	38.0	4.1	5.1	11.8	1.8	4.9	32.1	2.1
Disagree	3.7	28.6	4.4	7.5	20.4	8.0	8.1	12.1	5.4	6.9	17.8	6.7
No Opinion	16.2	25.3	23.2	16.4	13.6	18.6	16.2	23.6	25.0	16.4	14.6	24.2
Agree	33.0	18.0	37.7	28.6	19.9	33.9	32.3	34.9	36.9	33.4	24.2	38.4
Strongly Agree	45.5	3.4	33.5	42.4	8.1	35.4	38.3	17.6	30.9	38.4	11.3	28.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Mean*	4.2	2.5	4.0	4.0	2.4	3.9	3.9	3.3	3.9	3.9	2.6	3.8
Standard Deviation	0.9	1.2	0.9	1.2	1.4	1.1	1.2	1.2	1.0	1.1	1.4	1.0
N	3634	189	3386	3633	188	3398	3623	189	3355	3568	189	3335

* On a scale of 1 (Strongly Disagree) to 5 (Strongly Agree)

Table 5.7b: Marginal distributions of on-Scheme respondents' attitudes to the Child Support Scheme

	Attitude to increasing levels of child maintenance		Attitude to using tax system to collect maintenance		Attitude to requiring pensioners to seek maintenance		Attitude to relating maintenance to the income of the NCP	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Strongly Disagree	.8	62.6	2.5	54.5	2.2	26.8	6.0	37.3
Disagree	2.8	20.7	2.7	15.8	4.5	13.0	10.4	15.4
No Opinion	10.6	9.6	6.3	10.6	7.6	25.5	13.7	14.1
Agree	27.8	4.0	26.3	13.3	31.4	25.1	30.1	15.5
Strongly Agree	58.0	3.1	62.2	5.8	54.3	9.6	39.8	17.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Mean*	4.4	1.6	4.4	2.0	4.3	2.8	3.9	2.6
Standard Deviation	0.8	1.0	0.9	1.3	1.0	1.3	1.2	1.5
N	1619	637	1646	644	1614	631	1592	629

* On a scale of 1 (Strongly Disagree) to 5 (Strongly Agree)

disagreement. Opposition from pre-Scheme non-custodial parents was strongest on this aspect of the new maintenance reforms (58 per cent) and stronger still among on-Scheme non-custodial parents (70 per cent).

While pre-Scheme custodial parents were more in favour of requiring pensioners to seek maintenance than control group parents (71 per cent versus 68 per cent), they also recorded a higher level of opposition (13 per cent versus 7 per cent). Again, on-scheme custodians were the group expressing greater support with 86 per cent in agreement and only 7 per cent in disagreement.

Agreement was expressed by over half of the pre-Scheme non-custodial parents (52 per cent) and 40 per cent of the on-Scheme non-custodial parents, demonstrating overall support for this issue among all groups.

Seventy-two per cent of pre-Scheme custodial parents, 70 per cent of on-Scheme custodians and 67 per cent of control group parents supported the idea of relating the level of maintenance to the income of the non-custodial parent. At least half of the pre-Scheme and on-Scheme non-custodial parents opposed this issue.

To sum up, the univariate statistics described above show that custodial parent support for aspects of the Child Support Scheme is significantly higher for those who have experienced these reforms in practice. Unfortunately, the same cannot be said for non-custodians. Non-custodial parents registered with the Child Support Agency express a far greater level of disagreement to increasing maintenance levels and to using the tax system as a method of collection than do those not on the scheme.

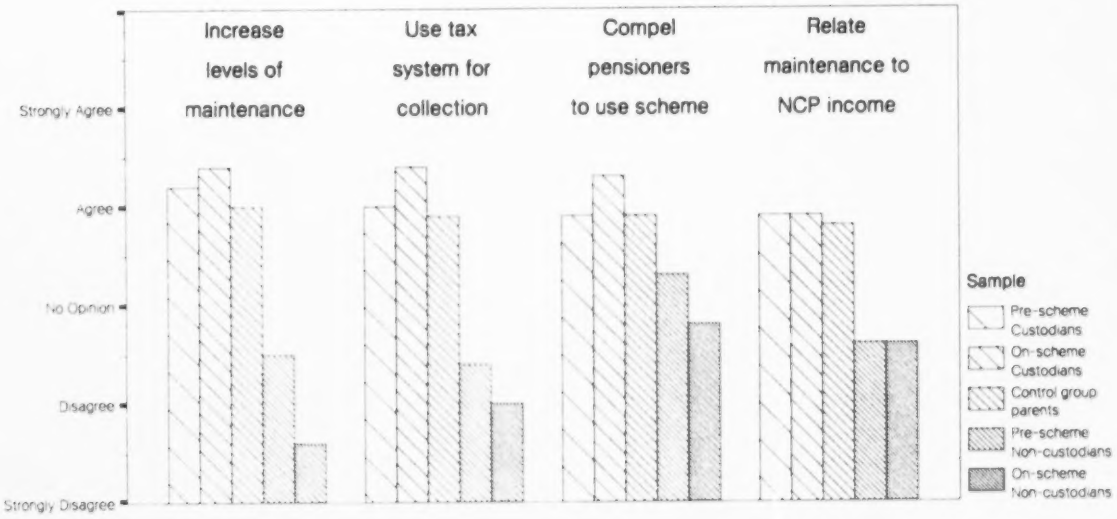
A clearer, overall view of each group's attitudes to the scheme can be seen in Figure 5.1. The graph shows the average score of each group on each of the four aspects of the Child Support Scheme. While custodial parents are consistently high on all four issues, they are slightly more in favour of increasing the amount to be paid for child maintenance. The control group parents are also in favour of all issues and their opinions are very similar to those of custodial parents. pre-Scheme non-custodial parents are about halfway between the 'disagree' and 'no opinion' marks on increasing maintenance levels and using the tax system to collect maintenance, while on-Scheme non-custodians express slightly more dissatisfaction. Their support for relating maintenance to the income of the non-custodial parent is higher, although still around the 'no opinion' mark. Non-custodial parents come closest to the level of custodial and control group support on the issue of requiring pensioners to seek maintenance, indicating that this aspect of the Child Support Scheme is a popular choice among all three samples.

Gender Differences Versus Custodial Status

Unlike gender comparisons of attitudes to the pre-Scheme arrangements, Table 5.8 supports the finding of earlier studies that women are more in

Figure 5.1: Attitudes to the Child Support Scheme by sample

Mean Scores



favour of the Child Support Scheme than men. On average, (across all four questions relating to the scheme), support among custodial women outweighs support among custodial men by 10 per cent.

Eighty per cent of custodial mothers, compared with 65 per cent of custodial fathers, supported raising the levels of child maintenance. This shows a significantly greater difference between males and females (once custodial status has been controlled for) than expressed in the survey conducted by the Market Research Workshop which found 84 per cent of females in support compared with 79 per cent of males.

The difference was slightly more moderate on the issue of government collection of maintenance. Among custodial parents, 72 per cent of women and 65 per cent of men were in support. Although the actual level of support varied, similar absolute differences were found in earlier studies. The Market Research Workshop measured support among females at 91 per cent and among males at 82 per cent. The Saulwick Age poll found 84 per cent of women in support compared with 77 per cent of men. The Morgan Gallup poll reported that 67 per cent of women and 61 per cent of men supported government collection of maintenance.

Although Harrison reported substantial gender differences, (74 per cent of women in that sample supported government collection of maintenance while only 40 per cent of men agreed), comparison with other studies is problematic due to different sample bases. Harrison's analysis is based on a sample of divorced parents, while the other three were general population samples (that is for the most part *not* separated parents). Discrepancies between results from the Child Support Scheme Evaluation (CSSE) and the Parents and Children After Marriage Breakdown (PCMB) survey are further exaggerated by the fact that almost all of the PCMB non-custodial parents are men and thus the effect of custody is present but masked.

On requiring pensioners to seek maintenance, custodial mothers' support was once again greater than custodial fathers' support (71 per cent versus 62 per cent). Analysis by the Market Research Workshop indicated support among 80 per cent of females and 78 per cent of males.

Seventy-three per cent of custodial mothers thought that maintenance should be related to the non-custodial parent's income while 63 per cent of custodial fathers agreed. Harrison reported support among 70 per cent of women and only 45 per cent of men. This aspect of the child maintenance reforms was not analysed in other studies as it relates to Stage Two of the Scheme.

The comparison between custodial fathers and non-custodial fathers shows, as expected, that custodial men are much more likely to support the Child Support Scheme than non-custodial men (65 per cent versus 19 per cent). Custodial fathers, for example, were three times more likely than non-custodial fathers to support increasing child maintenance levels. There is no immediately obvious explanation of why the current results differ so significantly from those of the Market Research Workshop which reported that 67 per cent of the non-custodial parents (compared with 84 per cent of

custodial parents) in their sample supported increasing their own maintenance liabilities.

Support for government collection of maintenance among custodial fathers outweighed support among non-custodial fathers by 38 per cent. Differences were a little less dramatic on the question of relating maintenance to the non-custodial parent's income, where 63 per cent of custodial fathers were in support compared with 34 per cent of non-custodial fathers. The two groups held similar views on requiring pensioners to seek maintenance. Sixty-two per cent of custodial males either agreed or strongly agreed to this proposal as did 52 per cent of non-custodial males.

What Affects Attitudes to the Child Support Scheme?

Bivariate correlations

In contrast to attitudes to the pre-Scheme arrangements, there is no distinguishing feature of custodial parents which affects their views of the

Table 5.8: Attitudes to the Child Support Scheme by gender: pre-Scheme respondents

Attitude to	Strongly disagree	Disagree	No opinion	Agree	Strongly agree	Total	N
Increasing levels of child maintenance							
CP Females	1.4	3.3	15.4	32.9	47.0	100.0	3271
CP Males	3.9	7.3	23.7	33.1	32.0	100.0	362
NCP Males	26.2	30.0	25.2	16.8	1.9	100.0	173
Using tax system to collect maintenance							
CP Females	4.4	7.5	16.4	28.5	43.2	100.0	3272
CP Males	11.0	8.1	16.1	29.5	35.3	100.0	361
NCP Males	39.7	21.1	12.6	18.9	7.7	100.0	172
Requiring pensioners to seek maintenance							
CP Females	5.0	8.0	15.6	32.3	39.1	100.0	3264
CP Males	6.6	9.0	22.0	32.2	30.2	100.0	359
NCP Males	12.2	12.4	23.6	33.7	18.0	100.0	173
Relating maintenance to income of the non-custodial parent							
CP Females	4.4	6.5	16.2	33.5	39.4	100.0	3213
CP Males	8.9	10.3	18.0	33.0	29.8	100.0	355
NCP Males	34.4	18.2	13.0	23.9	10.6	100.0	171

Note Unweighted data used to allow gender comparisons.
Differences between custodial males & females significant at $p < .001$
Differences between custodial males & non-custodial males significant at $p < .001$

Table 5.9a: Pre-Scheme respondents' attitudes to the Child Support Scheme by selected indicators: correlation coefficients

	Attitude to increasing levels of child maintenance		Attitude to using tax system to collect maintenance		Attitude to requiring pensioners to seek maintenance		Attitude to relating maintenance to income of the NCP	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Whether any maintenance is paid	.13*	−.30*	−.02	−.21*	.19*	.03	.11*	−.23*
Whether any maintenance is due	.17*	−.34*	.11*	−.24*	.25*	−.08	.13*	−.26*
Whether maintenance was sought	.14*	−.25*	.10*	−.23*	.22*	−.02	.09*	−.15
Court order/agreement for maintenance	.17*	−.41*	.16*	−.26*	.21*	−.10	.11*	−.33*
Private agreement for maintenance	.00*	.19*	−.06*	.13	.05*	.05	.03	.13
Whether maintenance was ever paid	.16*	−.31*	.06*	−.21*	.21*	−.01	.11*	−.19*
Ever lived with former partner	.04*	−.06	.07*	−.02	.14*	.05	.07*	−.03
Married to former partner	.07*	−.06	.09*	−.10	.18*	.20*	.07*	−.04
Divorced from former partner	.06*	−.10	.09*	−.22*	.13*	.04	.03	−.15
Personal income	−.01	.08	.02	.08	.10*	.19*	.04*	−.10
Age	.04*	−.01	.06*	−.09	.09*	.13	.07*	−.17*
State of maintenance payments	−.15*	.16	.00	.10	−.20*	−.07	−.11*	.21*
Current partnership status	.06*	.07	−.02	.14	−.06*	−.09	.02	.07
Pension status	.06*	.12	−.04	.03	−.10*	−.10	.00	.08
Time since separation (in years)	−.01	.01	.02	−.11	.00	.10	−.03	−.13

* Statistically significant at p≤.01 or better

Note: Pearson's R

Table 5.9b: On-scheme respondents' attitudes to the Child Support Scheme by selected indicators: correlation coefficients

	Attitude to increasing levels of child maintenance		Attitude to using tax system to collect maintenance		Attitude to requiring pensioners to seek maintenance		Attitude to relating maintenance to income of the NCP	
	CP	NCP	CP	NCP	CP	NCP	CP	NCP
Whether any maintenance was paid pre-Scheme	.05	.00	−.13*	.06	.00	.12*	.08*	.01
Whether any maintenance was due pre-Scheme	−.04	.03	−.04	−.05	−.04	.05	−.04	−.01
Whether maintenance was sought pre-Scheme	.00	−.01	.01	.02	−.06*	.03	.01	.06
Whether maintenance was ever paid pre-Scheme	.07	−.07	−.06*	.04	−.01	.14*	.02	.05
Ever lived with former partner	−.02	−.02	.04	−.04	.01	.12*	.01	.01
Married to former partner	−.06*	.01	−.01	−.07	−.02	.07	.00	.04
Divorced from former partner	.02	−.07	.03	−.07	.03	.03	.01	.06
Age	.10	.04	.10*	−.05	.12*	.05	.11*	−.10
State of pre-Scheme maintenance payments	−.06*	.01	.17*	−.06	.00	−.14*	−.06*	.01
Current partnership status	.01	−.10*	.01	−.10*	.06	−.02	−.01	−.01
Pension status	−.06*	−.02	−.04	.01	−.06	−.07	.05	.01
Time since separation (in years)	.07*	−.01	.08*	.02	.08*	.01	.05	.08

* Statistically significant at $p<.01$ or better

Note: Pearson's R

Child Support Scheme. While Tables 5.9a and 5.9b show statistically significant correlations among both custodial parent samples, most coefficients are too small to warrant comment.

There is, however, a moderate relationship among the pre-Scheme custodial parent sample between whether any maintenance is due and whether pensioners should be required to seek maintenance. Those who have something due (and have therefore sought maintenance) are more likely to believe that pensioners should be compelled to seek maintenance from their former partner. Interestingly, there is only a weak relationship between pension status and whether pensioners should seek maintenance. However, pensioners expressed less support for this aspect of the scheme than did non-pensioners.

Beyond the fact that custodial parents' views on increasing levels of maintenance, using the tax system for collection and relating maintenance to the non-custodial parent's income are not greatly affected by any of the independent variables used in the analysis, little else may be said about custodial parents. The same may be said for on-Scheme non-custodians.

For pre-Scheme non-custodial parents, however, several strong correlations emerge. All significant correlations involve variables relating to the respondents' maintenance situations. Generally, non-custodial parents most in favour of the Child Support Scheme were those who would not be affected by the maintenance reforms.

Non-custodial parents most likely to support increasing levels of child maintenance and automatic withholding were those who paid no maintenance, who had no maintenance due, whose former partner had not sought maintenance, and who had never paid maintenance.

Non-custodial parents not paying maintenance and having no court order or court approved agreement for the payment of maintenance (indeed, having no obligation to pay maintenance), were more likely to support relating maintenance to the income of the non-custodial parent.

Personal income and whether the non-custodian had been married to the other parent were weakly correlated with views on requiring pensioners to seek maintenance.

Thus the new scheme is less likely to be supported by those non-custodial parents who were conforming with their pre-Scheme maintenance obligations. These parents, considering that they were already carrying out their maintenance responsibilities, saw little need for the law to be changed.

Summary Attitudes to the Child Support Scheme

The scaling procedure outlined earlier in this paper was again followed to assess the validity and reliability of a summary measure of attitudes to the Child Support Scheme.

The principal components analysis presented in Table 5.10 shows that,

Table 5.10: Principal components analysis: attitudes to the Child Support Scheme

	Pre-Scheme Respondents				On-Scheme Respondents			
	Custodial Parents		*Non-custodial Parents*		*Custodial Parents*		*Non-custodial Parents*	
	Loading	Communality	Loading	Communality	Loading	Communality	Loading	Communality
Increasing levels of child maintenance	.78	.61	.83	.69	.70	.49	.73	.53
Using the tax system to collect maintenance	.79	.62	.85	.73	.72	.52	.73	.53
Requiring pensioners to seek maintenance	.73	.54	.50	.25	.73	.53	.60	.36
Relating maintenance to income of the non-custodial parent	.72	.52	.73	.54	.49	.24	.49	.24
Eigenvalue	2.3		2.3		1.8		1.7	
% of Variance	57.6		57.1		44.4		41.7	

Table 5.11: Reliability analysis of additive scale attitudes to the Child Support Scheme

		Pre-Scheme Respondents				*On-Scheme Respondents*			
		Mean	Standard Deviation	N	Alpha if item deleted	Mean	Standard Deviation	N	Alpha if item deleted
Increasing levels of child maintenance	CP	4.2	0.9	3494	.68	4.4	0.8	1528	.46
	NCP	2.5	1.2	180	.60	1.6	1.0	613	.38
Using the tax system to collect maintenance	CP	4.0	1.2	3494	.66	4.4	0.9	1528	.45
	NCP	2.4	1.4	180	.57	2.0	1.3	613	.37
Requiring pensioners seek maintenance	CP	3.9	1.2	3494	.70	4.3	1.0	1528	.43
	NCP	3.3	1.2	180	.76	2.8	1.3	613	.45
Relating maintenance to income of the NCP	CP	3.9	1.1	3494	.71	3.9	1.2	1528	.59
	NCP	2.7	1.4	180	.65	2.6	1.5	613	.52

	Alpha	Mean inter-item correlation	Scale mean	Scale Standard Deviation	Alpha	Mean inter-item correlation	Scale mean	Scale Standard Deviation
Custodial Parents	.75	.43	0.8	0.2	.55	.25	0.8	0.2
Non-custodial Parents	.71	.38	0.4	0.2	.50	.22	0.3	0.2

Table 5.12: OLS regression analysis of determinants of attitudes to the Child Support Scheme: pre-Scheme and on-Scheme samples

	Pre-Scheme Respondents				On-Scheme Respondents			
	Custodial Parents		*Non-custodial Parents*		*Custodial Parents*		*Non-custodial Parents*	
	b	Beta	b	Beta	b	Beta	b	Beta
Age (in 10 year groupings)	.02	.06*	−.01	−.02	.04	.16*	.00	−.01
Sex	−.06	−.09*	−.05	−.06	−.07	−.04	.00	.00
Personal Income (in $'000)	.02	.02	.10	.14	N.A	N.A	N.A	N.A
Pension Status	−.02	−.06	−.02	−.03	−.01	−.03	−.02	−.03
Current partnership status	−.03	−.07	−.01	−.02	.00	.00	−.03	−.08
Time since separation (in years)	.00	−.07*	.01	.09	.00	.04	.01	.10
Lived with former partner	.02	.03	—	—	—	—	—	—
Married to former partner	.02	.04	.06	.05	−.06	−.10*	.06	.08
Divorced from former partner	.01	.02	−.10	−.19	.01	.03	−.03	−.06
Maintenance sought pre-Scheme	.05	.09*	−.02	−.03	−.05	−.01	.17	.03
Any maintenance due pre-Scheme	.04	.10	−.19	−.31	−.18	−.03	−.27	−.04
Amount due pre-Scheme	.00	.08*	.00	.11	.00	−.02	.00	.04
Any maintenance paid pre-Scheme	−.03	−.06	−.04	−.06	.01	.04	.02	.05
Maintenance ever paid pre-Scheme	.00	.01	.00	.00	−.01	−.03	.08	.05
Constant	.64		.64		.92		.45	
R^2	.08*		.20*		.04*		.02	

* Statistically significant at p<.01 or better

for all samples, all four attitudinal measures load on one factor. With two exceptions (.24 and .25), communalities are quite high (.36 to .73). Factor loadings, however, are high enough (.49 to .85) to allow scaling. For both pre-Scheme samples, the four-item summary measure accounts for 57 per cent of the variation in peoples attitudes to the Child Support Scheme and over 40 per cent for the two on-Scheme samples.

Table 5.11 presents the reliability analysis on the scale for pre-Scheme and on-Scheme custodial and non-custodial parents. Cronbach's alpha in each case exceeds .7 for the pre-Scheme samples and .5 for the on-Scheme samples.

As results from both analyses support the idea of scaling the individual items, a composite measure was computed by adding the four variables and, once again, converting the scale to a metric variable (zero representing opposition and one representing support).

What Affects Overall Attitudes to the Child Support Scheme?

Unlike attitudes to the pre-Scheme maintenance arrangements, there is no single characteristic which explains a substantial proportion of the variation in attitudes to the Child Support Scheme.

Table 5.12, which presents the results from the ordinary least squares regression analysis, shows that non-custodial parents' attitudes to the scheme are not significantly affected by any variables in the analysis.

For on-Scheme custodians, age is the strongest explanatory factor, showing slightly more support for the scheme among older parents. Those who had been married to their former partner were 6 per cent more likely to oppose the scheme than those who had been in a de facto relationship or had never cohabited.

Several factors affected pre-Scheme custodians' attitudes to the scheme, although these effects are quite weak. Female custodians are 6 per cent more likely to favour the scheme. Support for the scheme tended to increase with age. Those most recently separated were more likely to favour the scheme, as were those who had sought maintenance. Bivariate relationships between attitudes and the receipt of maintenance did not hold once other factors were controlled for, a finding consistent with previous studies.

As a result, custodial status seems to be the most significant factor affecting attitudes to the Child Support Scheme.

Conclusion

Results of this analysis show that a large proportion of custodial parents were very dissatisfied with their maintenance situation prior to the Child

Support Scheme reforms. They were especially unhappy with the amount of maintenance actually being paid, the regularity of payment, the ability of courts to enforce maintenance orders and agreements, and the procedures through which variations to maintenance orders and agreements were made. Far greater dissatisfaction with pre-Scheme maintenance arrangments was expressed by custodians registered with the Child Support Agency. This dissatisfaction was unrelated to sex — both men and women custodians were unhappy. Custodial parent attitudes to the overall pre-Scheme situation were, for the most part, affected by whether any maintenance was being received and the extent to which maintenance was paid as agreed or ordered.

While most non-custodial parents were quite happy with their pre-Scheme maintenance liability, the amounts they paid, and the regularity of payment, they too, were dissatisfied with the courts' ability to ensure payment and the maintenance varying procedures. Those who were registered with the Child Support Agency were less satisfied than pre-Scheme non-custodians. Generally speaking, non-custodial views of the pre-Scheme maintenance arrangements did not significantly fluctuate according to any demographic characteristics. However, non-custodial parents who had complied with their pre-Scheme maintenance liabilities tended to be more satisfied with the pre-Scheme arrangements.

Both Stage One and Stage Two aspects of the Child Support Scheme received a consistently high level of support from the majority of custodial parents — especially for increasing child maintenance levels. Custodial parents with direct experience of these reforms expressed considerably greater support for the scheme. The control group population, consisting mainly of parents in intact marriages, also expressed strong support for the scheme.

While attitudes to the scheme itelf were found to be affected by demographic and maintenance related issues, these effects were so small that 'across the board' acceptance of the scheme by custodial parents can be concluded.

Not surprisingly, non-custodial parents disagreed with the scheme as a whole but perhaps not as strongly as may have been thought. At least 20 per cent of all pre-Scheme non-custodial parents were in support of each aspect of the scheme and a substantial number were indifferent. However, opposition to the scheme was quite strong among non-custodial parents registered with the Child Support Agency. No demographic or maintenance related factors significantly affected non-custodial parents' attitudes to the Child Support Scheme.

Appendix 5.1: Independent variables used in analysis

Variables	Measurement
Gender	0 (Female), 1 (Male)
Any pre-Scheme maintenance paid	0 (No), 1 (Yes)
Any pre-Scheme maintenance due	0 (No), 1 (Yes)
Amount pre-Scheme maintenance due	Dollars per week
Maintenance sought pre-Scheme	0 (No), 1 (Yes)
Court order/agreement for maintenance	0 (No), 1 (Yes)
Private agreement for maintenance	0 (No), 1 (Yes)
Maintenance ever paid pre-Scheme	0 (No), 1 (Yes)
Lived with former partner	0 (No), 1 (Yes)
Married to former partner	0 (No), 1 (Yes)
Divorced from former partner	0 (No), 1 (Yes)
Time since separation	Single years
Personal income	Gross dollars per year: wages, maintenance and other income (excluding pensions or benefits)
Age	Single years
State of pre-Scheme maintenance payments	1 (More paid than agreed/ordered) 2 (Paid as agreed/ordered) 3 (Less paid than agreed/ordered) 4 (Was paid, but no longer paid) 5 (Maintenance never been paid)
Current partnership status	0 (Sole parent), 1 (Partnered)
Pension status	0 (Not receiving major pension) 1 (Receiving major pension)

6

THE FIRST CHILD SUPPORT AGENCY REGISTRANTS

GREGG SNIDER AND
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Attitudes of both parties to the first six thousand Child Support Agency registrations towards formal aspects of the Child Support Scheme (using the tax system, etc.) have been discussed in the preceding chapter. This chapter explores further the entry experiences of these first registrants, with particular emphasis on any difficulties they may have encountered and any concerns they have with being on the scheme.

The experiences of early registrants were also the subject of two surveys, carried out in the second half of 1988 and March–April 1989, by ACOSS and the Law Institute of Victoria respectively. The ACOSS report (1988) contained a number of recommendations which were based on information obtained by State Monitoring Committees about the operation of the Child Support Scheme and its effects on parents and children. By its nature, the ACOSS report concentrates on the experiences of custodial parents in the welfare sector.

The Law Institute Survey (1989) was completed by 45 Victorian family lawyers, who between them had acted for an unknown number of non-custodial parents, and had recommended that over 900 custodial parents register with the Child Support Agency.

Two particular problems are identified by the CSSE early registrants: (a) the time lag between registration and the receipt of maintenance, and (b) the high degree of uncertainty, particularly among custodial parents, about how the scheme actually operates and how it affects them.

The questionnaire for early entrants to the Scheme was designed before the scheme's effective implementation. This meant that the inclusion of some items in the questionnaire was premature, for example, in the early stages of the Scheme virtually no employers were involved with maintenance withholding. It is therefore not surprising that less than one per cent of non-custodial parents in the sample included their employers in their

main sources of information about the scheme. So too, various issues later to prove of concern were either omitted or under-emphasised in the questionnaire.

The slow introduction of automatic withholding by employers was the subject of criticism by several family lawyers in the Law Institute of Victoria survey. The publicity which accompanied the introduction of the scheme suggested that employer withholding would be one of its central features, and would ensure payment in the vast majority of cases. The extent of employer withholding will be an important issue pursued in the 1990 follow-up survey.

Attitudes to Registration

Eighty-six per cent of custodial parents in the early entrant sample reported that they 'want to be in the scheme', compared with only thirteen per cent of non-custodians. Conversely, where five per cent of custodial parents do not want to be in the scheme, sixty-two per cent of non-custodial parents do not. Non-custodial parents were more likely (25 per cent) to have 'no opinion' about wanting to be registered than did custodial parents (9 per cent). That is, non-custodial opposition is of a lesser magnitude than is custodial parent support.

Sources of Information about the Scheme

Both custodial and non-custodial parents were asked what were their main sources of information about the scheme (see Table 6.1). As completed questionnaires were received from both partners to 357 previous relationships, their responses were also included in order to assess their accuracy. Understandably, custodial parents were far more likely (53.4 per cent) than were non-custodial parents (6.5 per cent) to report that the Department of Social Security was a main source of information, while non-custodial parents were more likely (80.4 per cent) than custodial parents (37.3 per cent) to say that the Child Support Agency had been. Non-custodial parent contact with the Department of Social Security about scheme registration is completely unnecessary, except possibly for those non-custodial parents (10.3 per cent) who are themselves pensioners.

Agency contact, at least through payment, is a continuing non-custodial parent activity, while custodial parents need only have been involved with the Child Support Agency at the time of registration.

With the exception of the 'child(ren)'s other parent' as a main source of information, custodial parents report greater use than non-custodial parents of all of the remaining information sources — the government 'hotline', a

lawyer, Legal Aid Office, community/legal advice organisations, courts, friends and relatives, television and radio, newspapers and magazines. Less than one per cent of non-custodial parent respondents (0.8 per cent) indicate that their employer was a main source of information about the scheme. For obvious reasons, employers were not included in the list provided to custodial parent respondents.

Generally speaking, Stage One of the Child Support Scheme will not result in any custodial parents being worse off financially after registration than they were prior to the scheme's introduction (inevitably, there will be exceptions and anomalies) while no non-custodial parents will be any better off. Custodial parents not receiving maintenance pre-Scheme will, of course, be better off, while the converse holds true for non-custodial parents not previously paying.

One would, therefore, expect less overall satisfaction with the scheme among non-custodial parents than among custodial parents. It is only natural to assume that this opposition to the scheme, or to being registered, will generalise to less immediate matters. That is, regardless of the objective value of any information, advice or help received, less satisfaction (or,

Table 6.1: Information about the scheme

	All Respondents		*Former Partners*	
	Custodial %	Non-custodial %	Custodial %	Non-custodial %
*Main Sources of Information**				
Department of Social Security	53.4	6.5	50.2	6.5
Child Support Agency	37.3	80.4	37.3	81.8
Government 'Hotline'	21.1	3.0	20.8	4.1
Lawyer	15.8	12.4	19.6	13.7
Legal Aid Office	5.4	2.5	2.7	3.9
Community/Legal advice organisations	5.0	1.1	3.8	1.0
Courts	15.6	9.2	16.2	10.6
Friends/relatives	13.4	3.9	9.9	3.5
Child/ren's other parent	0.5	5.8	0.5	5.6
Television/Radio	26.6	11.3	28.3	12.5
Newspapers/Magazines	33.6	18.3	33.9	21.4
Employer	N/A	0.8	N/A	0.0
(Cases)	(1697)	(660)	(299)	(286)
'How helpful was the information?'				
Very helpful	34.1	5.5	33.2	7.3
Helpful	46.6	35.4	46.8	38.7
Not very helpful	14.3	32.9	14.3	30.5
No help at all	4.9	26.2	5.6	23.5
(Cases)	(1667)	(626)	(291)	(268)

* Multiple Response Variable

greater dissatisfaction) is to be expected from non-custodial than from custodial parents.

The final entry in Table 6.1 is, therefore, not particularly surprising: while 80.7 per cent of custodial parent respondents found that the information provided by the various agencies and media was 'helpful' or 'very helpful', 59.1 per cent of non-custodial respondents found it 'not very helpful' or 'no help at all'.

Quality of Information and Assistance

One matter of concern is the extent to which registrants are unfamiliar with how they will be affected by the Scheme and to whom they should turn for help. The 1988/89 Annual Report of the Child Support Agency expressed concern about its communication activities. The ACOSS report noted that (a) urgent attention needs to be paid to the letters sent to clients by DSS and Child Support Agency, suggesting that they are poorly worded and difficult, if not impossible, to understand (these have been re-drafted since); (b) written information for the public was printed but not distributed prior to the scheme's commencement date nor for some time after; (c) because of a lack of written information, service providers were unable to advise clients with any degree of confidence; and (d) DSS staff had, [at least then] not developed an accurate working understanding of the scheme.

Although not directed specifically to information problems, the early entrant questionnaires nonetheless point to difficulties in comprehension. Numerous respondents, for example, simply did not understand the new maintenance income test for pensions, believing that not all of their maintenance was being collected, rather than understanding that their pensions had been reduced. Some, who realised that their pension had been reduced, had no idea why this was so and were apparently unaware that this would happen. Others were confused because the amount of monthly payments varied — sometimes considerably.

The technical nature of letters sent to clients is a problem:

'I have no idea whether he is paying or not. The amount varies so much and is so late being paid I don't know where I am. I should have (and would have under the old scheme) received $440. I have received $242.50.'

'You don't get enough information in the letters they send to you explaining what's happening. I think you think we're geniuses.'

Another problem, (since neither DSS nor Child Support Agency letters are sent by registered mail or, perhaps, because addresses are not current) is the lack of any information at all:

'My spouse telephoned me and accused me of being responsible for initiating

collection through the Agency and this was the first I knew of my order being transferred. I am appalled that I had no advice of the pending transfer.'

'I was NOT supplied with any information about the scheme or a contact in the Agency. When I contacted my local Department of Social Security, they couldn't help me at all. My ex-husband was given notice, information, contacts etc. at least a month before. Why wasn't I afforded the same courtesy.'

One possible answer to this woman's question is that the Australian Taxation Office has an on-going need for more up-to-date address records than does the Department of Social Security which relies extensively on the automatic transfer of funds to banks rather than cheques to individuals.

Confusion was often expressed by both custodial and non-custodial parents about where they should seek help. Many reported having been sent from DSS to the Child Support Agency and back again. So long as administration of the Child Support Scheme is to be divided between the two, there needs to be better information within each agency about the operation of the other, how it may be contacted and what services/advice it will be able to provide. Staff training cannot be restricted to the issues arising in only one agency.

Given the observations of ACOSS about the quality of information provided to both custodial and non-custodial parents, and the (admittedly qualified) support for those observations provided by the early entrant data, it is imperative that the next wave of on-Scheme questionnaires explore the subject in considerably greater depth. In the meantime, however, there is sufficient smoke to suggest a fire which both DSS and Child Support Agency should consider putting out.

Another difficulty arises around the issue of the client's right to know. Custodial parents who ask if maintenance has been collected at all may be advised by the Child Support Agency that this is a matter of confidentiality between the non-custodial parent and the Child Support Agency. The fact that the debt is owing to the Commonwealth gives some custodial parents a sense of their not being involved. One woman complained of being directed to both DSS and Child Support Agency. She eventually made contact with a staff member of the Child Support Agency and discovered the maintenance *had* been paid. But, as she recounted:

'The lady tells me this liability is to them — not me. I'm not even considered. I'm a number. I'm not important — nor are my children.'

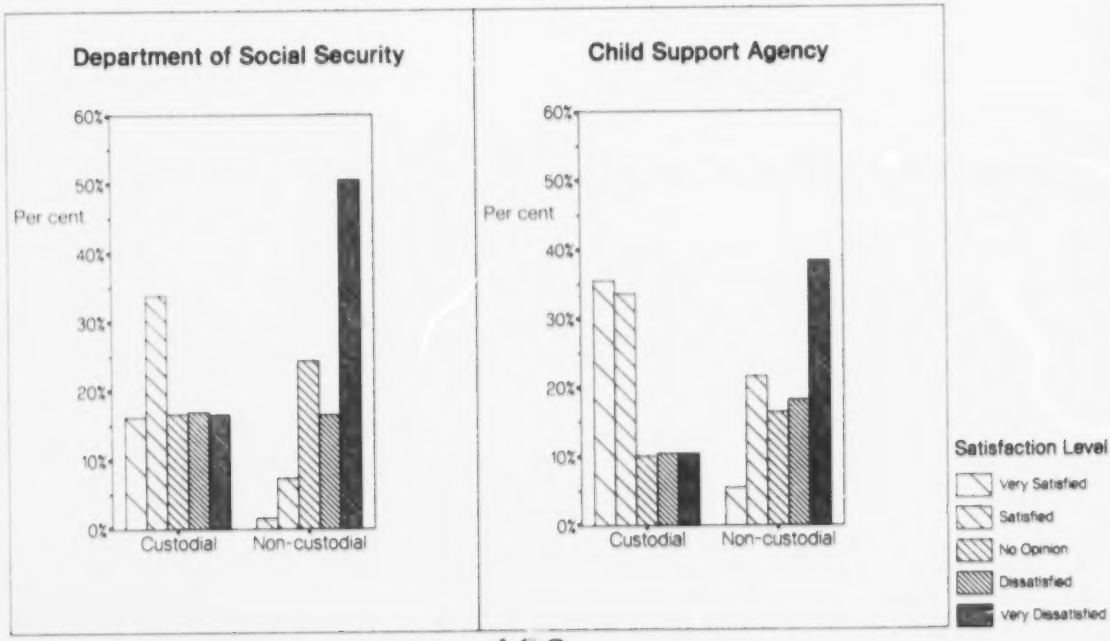
Satisfaction with Help Received

The effect discussed in the previous section is mirrored in responses to questions about satisfaction with help received from the Department of Social Security, the Child Support Agency, Legal Aid, a court and lawyers (see Table 6.2). [Note: where help was not sought from a particular source,

Table 6.2: Satisfaction with help received

	All Respondents		*Former Partners*	
	Custodial %	Non-custodial %	Custodial %	Non-custodial %
Department of Social Security				
Very satisfied	15.8	1.4	15.6	3.1
Satisfied	34.0	7.0	31.1	10.1
Neither satisfied nor dissatisfied	16.5	24.7	13.9	25.7
Dissatisfied	16.8	18.5	16.4	14.1
Very dissatisfied	16.9	48.4	23.0	47.1
Satisfaction index	+16.1	−58.5	+7.3	−48.0
Cases	1285	170	231	76
Per cent responding	75.7	25.8	77.3	26.6
Child Support Agency				
Very satisfied	35.6	6.1	36.2	7.3
Satisfied	34.9	20.3	35.6	21.3
Neither satisfied nor dissatisfied	9.5	17.4	8.7	15.1
Dissatisfied	9.0	18.6	9.3	20.3
Very dissatisfied	10.9	37.5	10.2	36.0
Satisfaction index	+50.6	−29.7	+52.3	−27.7
Cases	1394	592	251	255
Per cent responding	82.1	89.7	83.9	89.2
Legal Aid				
Very satisfied	20.1	5.2	20.7	8.2
Satisfied	24.5	11.9	17.4	16.8
Neither satisfied nor dissatisfied	30.4	38.4	31.7	33.9
Dissatisfied	8.7	15.4	9.4	16.8
Very dissatisfied	16.3	29.1	20.7	24.4
Satisfaction index	+19.6	−27.4	+8.0	−16.2
Cases	301	99	53	42
Per cent responding	17.7	15.0	17.7	14.7
A Court				
Very satisfied	18.1	4.4	18.0	2.9
Satisfied	30.4	9.3	35.6	13.5
Neither satisfied nor dissatisfied	23.9	26.2	20.7	27.6
Dissatisfied	13.3	17.4	11.2	16.8
Very dissatisfied	14.4	42.6	14.5	39.3
Satisfaction index	+20.8	−46.3	+27.9	−39.7
Cases	513	148	90	66
Per cent responding	30.2	22.4	30.1	23.1
A Lawyer				
Very satisfied	25.3	9.3	30.5	8.6
Satisfied	35.0	30.7	31.2	37.1
Neither satisfied nor dissatisfied	20.9	19.7	20.1	17.6
Dissatisfied	8.5	12.9	5.9	8.4
Very dissatisfied	10.4	27.4	12.3	28.3
Satisfaction index	+41.4	−0.3	+43.5	+19.0
Cases	499	188	108	79
Per cent responding	29.4	28.5	36.1	27.6

Figure 6.1: Satisfaction with help received from ...



provision was made for a 'not applicable' response. For this reason, the percentage providing evaluations of help received from each is provided in the table. Relative evaluations of the help provided by each possible source should be considered in the light of the percentage providing an evaluation.]

With reference to each possible source of help, non-custodial parents report significantly less satisfaction than do custodial parents, although the degree of difference is slightly smaller among the former couples. Moreover, where custodial parents report satisfaction with each source, non-custodial parents say that they were dissatisfied (except for the former couples sub-sample's view of assistance provided by a lawyer which is marginally positive).

Figure 6.1 shows the satisfaction levels of custodial and non-custodial parents with the help they received from the Department of Social Security and the Child Support Agency. Custodial parents report greatest satisfaction with help received from the Child Support Agency, next with that from 'a lawyer', least with that provided by legal aid, a court and the Department of Social Security. Non-custodial respondents reported substantially greater satisfaction with help received from a lawyer than that from the Child Support Agency. The satisfaction index shows however, that the majority of non-custodial parents were generally dissatisfied with help from all sources. The highest level of dissatisfaction, expressed by 67 per cent of non-custodial parents, was with help from the Department of Social Security.

The fact that only 50 per cent of custodial parents expressed satisfaction with help from the Department of Social Security could, in some cases, reflect the anticipated reduction in pensions or benefits as a result of declaring received maintenance, but must nonetheless be seen as suggesting something of a problem for the Department to address. Non-custodial parents' significant dissatisfaction with help provided by the Department may reflect the fact that only about a quarter evaluated any contact with the Department. It may also be due to the fact that the Department's charter with regard to child maintenance does not provide for any assistance to non-custodial parents beyond, perhaps, directing them to the Child Support Agency.

Maintenance

Table 6.3 sets out details of early entrants' pre-Scheme maintenance circumstances and compares amounts paid prior to the scheme's introduction with on-Scheme payments. Data presented in this table highlight one of the more difficult dilemmas facing child maintenance research: for the most part, custodial and non-custodial parents do not agree about the actual state of pre-Scheme maintenance payment. This is also shown clearly in Chapter 4 which describes the experiences and perceptions of pre-Scheme custodial and non-custodial parents. On the other hand, parents *do* agree about the

state of on-Scheme maintenance payment. That is, scheme registration has removed for early entrants one major perceptual difference former partners have had with each other. This has the potential to improve the relationship between the former partners in respect of financial support of their children.

Even making allowance for discrepancies in custodial and non-custodial parent reports of pre-Scheme maintenance, one-quarter of non-custodial parents with court-enforceable maintenance themselves report that prior to Child Support Agency registration they either had never paid or had stopped paying the maintenance owed for their children. A further one-sixth report paying less than the court had ordered or approved. All in all, only 59 per cent report full compliance. The picture presented by custodial parents is, as expected, worse. This same pattern repeats when the regularity of payment is examined. Of the former couples who were paying/receiving maintenance, 90 per cent of non-custodial parents say payments were usually or always made on time, compared with only 33 per cent of custodial parents.

Including cases where no payments were made, the average amount of pre-Scheme weekly maintenance reported by custodial parents was $15 per family while among non-custodial respondents it was $40. The discrepancy relating to amounts paid also extends to former couples. The gap narrows

Table 6.3: Maintenance

	All Respondents		*Former Partners*	
	Custodial %	Non-custodial %	Custodial %	Non-custodial %
State of pre-Scheme maintenance payments				
Paid as agreed or ordered	17.3	59.0	24.9	57.7
Less than agreed or ordered	27.5	16.7	30.4	18.9
Once paid but stopped	37.1	19.5	32.2	18.9
Maintenance never paid	18.1	4.8	12.5	4.4
Cases	1687	647	297	283
Regularity of pre-Scheme payment				
Always on time	9.5	50.5	11.9	45.8
Usually on time	20.4	40.2	21.6	44.2
Not usually on time	30.3	7.7	34.6	8.2
Never on time	39.8	1.5	31.9	1.8
Cases	755	482	165	211
Maintenance paid/received per week: child and spousal				
Pre-Scheme — all respondents	$14.96	$39.91	$24.45	$43.25
On-Scheme — all respondents	$40.04	$49.27	$53.07	$53.70
Pre-Scheme — if paid	$37.11	$51.91	$47.39	$55.92
On-Scheme — if paid pre-Scheme	$47.56	$53.15	$58.24	$57.60

when examining only cases where something was paid: $37 reported by custodial and $52 by non-custodial parents. These figures show that the main point of disagreement is not how much is paid, but whether anything is paid at all.

As mentioned earlier, custodial and non-custodial parents generally agree on the amount paid through the Child Support Agency. The average on-Scheme payment among those who were former couples is $53.07 per week, according to custodial parents, and $53.70, according to non-custodial parents.

Concerns of Custodial and Non-custodial Parents

Tables 6.4 to 6.6 examine various concerns which may or may not be held by parents registered with the Agency.

Table 6.4 presents the response distributions of both custodial and non-custodial parents to a common set of seven statements with which they

Table 6.4: Custodial and non-custodial parent concerns

	Opinion					
	Strongly agree %	Agree %	No opinion %	Disagree %	Strongly disagree %	Cases %
Custodial Parents						
Interferes in private matters	2.0	5.8	37.3	35.7	19.3	1529
Takes away my choice	5.1	9.3	26.0	41.9	17.7	1513
Makes it easier to budget	48.8	36.8	8.2	3.4	2.8	1613
Creates custody/access problems	5.0	8.9	33.1	37.7	15.3	1519
Helps avoid conflict over money	36.8	37.6	12.9	8.8	4.0	1592
The scheme is a good idea	58.9	30.5	5.9	1.9	2.7	1626
Don't want to pay/get maintenance	0.9	0.6	4.6	20.4	73.5	1414
Non-Custodial Parents						
Interferes in private matters	39.1	15.8	23.6	14.4	7.0	630
Takes away my choice	59.4	20.6	10.2	4.5	5.3	643
Makes it easier to budget	7.6	14.6	22.5	22.8	32.5	632
Creates custody/access problems	37.5	12.6	29.5	15.7	4.8	638
Helps avoid conflict over money	8.7	19.0	25.0	17.1	30.2	636
The scheme is a good idea	9.5	16.0	25.1	12.0	37.4	637
Don't want to pay/get maintenance	17.8	7.9	17.3	35.9	21.0	631

were asked to express their agreement or disagreement. Again, as with the items examined in the previous chapter, custodial parents were supportive of the scheme, non-custodial parents were opposed.

One concern expressed by some commentators prior to the scheme's introduction was that there were a substantial number of custodial parents who, for whatever reason, did not want to receive maintenance. Recognising that most of the early entrant custodial parents were voluntary registrants, it is nonetheless significant to note that only 1.5 per cent said they did not want to receive maintenance.

Similarly significant is the fact that almost ninety per cent of custodial parents and one-quarter of non-custodial parents agreed that the 'scheme is a good idea'.

Eight per cent of custodial parents agreed that the scheme interferes in private matters between parents, compared with 55 per cent of non-custodians.

It is not surprising that over 85 per cent of custodial parents thought the scheme would aid financial planning. Obviously, if they know they are going to receive a fixed amount of maintenance with their family allowance each month, budgeting would be easier. While only twenty-two per cent of non-custodians felt the scheme would make it easier to budget, their disagreement probably measures the fact that they may see themselves as worse off financially.

Strong views were expressed by non-custodial parents regarding the statement 'the scheme takes away my choice.' Eighty per cent of non-custodians agreed (fifty-nine per cent expressing strong agreement) while only ten per cent disagreed. Legally, of course, the Scheme does not impose a new liability on the non-custodial parent — this is imposed by the order or court approved agreement itself, a fact which seems not to have been fully appreciated by some non-custodial parents.

The notion that, to a certain extent at least, maintenance payments were optional obligations comes through in numerous open-ended responses. The following comments are fairly typical:

'The parent who walks out on a marriage should accept more responsibility for such action instead of using existing law to gain maximum contribution from the non-custodial parent.'

'To be used only in cases where the wage earning parent has deserted the family and not in cases where the wife has ousted the wage earner to pursue other relationships.'

'My ex-wife has re-married and (is) living very well as she works — new house, new car plus a trip around the world a year ago.'

These are further examples of the colouring of maintenance obligations with legally extraneous factors related to the histories of separated parents (see Chapter 4).

Three-quarters of custodial parents and one-quarter of non-custodians feel that the scheme 'helps avoid conflict over money.'

Almost half the non-custodial parents think the scheme will create custody/access problems; only fourteen per cent of custodians express this concern. Open-ended responses suggest that one reason for non-custodial parent concern is that the Australia-wide jurisdiction of the Child Support Agency would make access more difficult:

'It will allow the receiving parent to move anywhere in Australia, still collect benefits, denying the access parent court-awarded access.'

The view just expressed centres on the practical matter of accessibility. Another involves equity: many non-custodial parents expressed the view that Government concern for maintenance for the custodial parent should be balanced by concern for access for the non-custodial parent. Typical comments include:

'I don't feel that the custodial parent should have the right to refuse access on the grounds of non-payment if the non-custodial parent has not the right to refuse to pay due to refusal to be allowed access . . . I have been refused access since Christmas 1986. Both access and maintenance according to the law are the child's right, but the law sees only one as important.'

'The government now controls maintenance. It also must police access.'

Table 6.5 presents marginal distributions of further attitudes asked only of non-custodial parents. Most non-custodians dislike the way maintenance is paid under the scheme. Seventy-seven per cent do not want their workplace involved, 54 per cent do not believe that the scheme will help make paying easier and 58 per cent do not think that it will take the worry out of organising to pay. In terms of finance, 57 per cent report that they do not have enough income to pay maintenance, while 74 per cent feel that, as a result of having a new family, the amount they are able to give is limited.

Possible reasons for not wanting to pay maintenance are also examined in Table 6.5. Fifty-eight per cent of non-custodial parents think that maintenance is not spent sensibly and that they feel they should not pay because they have no say in how the money is spent. Fifty-seven per cent state that the money is not spent on the children. This was a recurring theme in the open-ended comments, and is a concern of non-custodial parents which has been identified in earlier AIFS research.

'I would like to be able to see that money paid to the other spouse goes to the child. Previously we organised this well by me buying things our child needed on request from the custodial parent. Now I pay money to someone in a large institution who pays out to the other parent. I can make no decisions how that money is spent or whether it is even spent on my child.'

One non-custodial parent went so far as to suggest that maintenance should be converted into vouchers for food, clothing etc. for his child.

One concern which was not anticipated when the questionnaire was drawn up was the resentment of some non-custodial parents at being

brought into the scheme despite their reportedly good record of compliance.

'I have never at any stage, since separation from my wife, neglected to honour my commitments to maintain my two children. My honesty is now being questioned to the extent that I can no longer be trusted to make these monthly payments'.

It was common for these parents to suggest that the Commonwealth should address its attention to defaulters only. One complained about *all* liable parents being 'lumped in together. Its like being guilty before being tried.'

While 65 per cent of non-custodial parents agree that they should not have to pay if they don't see the children, only 14 per cent believe they have no obligation to support the child. Forty-seven per cent of non-custodial parents agree that the other parent does not need the money. Attitude questions did not necessarily reflect the experiences of parents. For example, many non-custodians who *were* seeing their children nonetheless believed that maintenance should only be paid where access was occurring.

Results of attitudinal questions asked only of custodial parents are presented in Table 6.6. The major concern of custodial parents about being in the scheme is wanting nothing to do with the other parent (37 per cent).

Table 6.5: Additional non-custodial parent concerns

	Opinion					
	Strongly agree %	Agree %	No opinion %	Disagree %	Strongly disagree %	Cases %
Makes paying easier	9.1	20.4	16.7	20.3	33.5	638
Don't want workplace involved	70.2	7.2	12.2	4.3	6.1	640
Takes worry out of organising to pay	8.4	14.2	19.6	23.6	34.2	644
Don't have enough income to pay	38.6	18.0	27.0	14.0	2.4	639
Money not spent sensibly	45.0	13.3	31.2	6.1	4.5	633
Shouldn't pay if I don't see the child	52.4	12.4	12.0	14.8	8.4	642
Shouldn't pay if no say in how spent	42.2	17.1	18.2	17.7	4.8	634
Feel no obligation to support child/ren	9.5	4.5	11.6	27.0	47.4	638
New family makes a difference	46.0	27.5	18.6	5.2	2.7	626
Money not spent on child/ren	41.1	16.3	31.7	7.5	3.4	632
CP does not need the money	30.8	16.6	31.1	16.0	5.4	623

Table 6.6: Additional custodial parent concerns

	Per Cent *Concerned*
'What concerns, if any, do you have about being in the Scheme?'	
Want nothing to do with the NCP	37.0
Want nothing from the NCP	2.4
Don't believe the NCP should pay	0.7
Concern over inconvenience	8.1
Concern with Government involvement	14.8
Might reduce total maintenance	13.3
Concern about NCP violence	18.4
Increase tension over access/visits	18.7
Don't want/need the money	0.8
Had agreed not to seek maintenance	0.3
Information required invades privacy	13.9
Have no concerns	71.3

This attitude has obvious implications for access arrangements, and will be followed up with the 1990 samples. Other interrelated concerns centre around the effect of the scheme on their relationship with the other parent. Nineteen per cent were afraid that the scheme may increase tension over access, while 18 per cent were concerned about violence from the other parent. Custodial parents were also concerned about government involvement in private matters (15 per cent) and invasion of privacy resulting from information requested (14 per cent).

This having been said, it is important to note however, that 71 per cent of all custodial parents reported that they had no concerns about being on the Child Support Scheme.

The Time Lag

Section 3(b) of the Child Support (Registration and Collection) Act provides that 'periodic amounts payable by non-custodial parents towards the maintenance of their children are paid on a regular and timely basis.'

A court order or court approved agreement for the payment of child maintenance may provide for its immediate payment, or for payment to commence on a specific date. The Child Support Agency collects payments monthly in arrears, and initially time must be allowed for locating and notifying the non-custodial parent of the liability, for possible appeal and for collection and payment. The liable parent is required to pay no later than the seventh day of the calendar month after payment is due, the money is transferred by the Child Support Agency to a trust account on the last Thursday of the month and is paid by DSS from that account to the custodial parent on the first Wednesday of the following month. This

system ensures that there will be a delay of between six and ten weeks from registration to the receipt of money, with additional unavoidable delays occurring where there are locational or other problems. This delay was felt most by those who had been receiving regular payments before their registration with the Child Support Agency, and was the focus of the most frequently voiced complaints by custodial parents in the early entrant sample. It was also the subject of criticism in both the ACOSS and Law Institute surveys. Several family law practitioners in the latter survey reported that their clients had been forced to rely on poor box payments, bankcard borrowings and money lent by relatives and friends to sustain them between registering with the Agency and receiving their first payment.

As some early entrant CSSE respondents had only been registered with the Child Support Agency for a short time, there were reports of no money having been received. Ten per cent of all custodial parents in the sample said they had not received a payment, and five per cent of non-custodial parents said they had not made one. Where first payments had not been received, there was some obvious concern, and custodians (perhaps incorrectly) had concluded that the other parent could not be found and/or would never pay.

Those who were most aware of the time lag were, obviously, those who had been previously receiving regular maintenance, particularly those who had been in receipt of fortnightly (or, less commonly, weekly) payments. Where collection agencies had been involved in the collection of pre-Scheme payments, their procedures could be contrasted with those of the Child Support Scheme.

In this regard, one woman said:

'For approximately nine years my spouse paid my maintenance regularly every fortnight to the court and only a day after it was paid in it was then available for collection by myself.'

The significance of the delay, particularly for pensioner custodians, is obvious:

'It is damn near impossible to cope with being in arrears with most services demanding payment on a weekly basis.'

Early entrant questionnaires were sent out during the 1988 Christmas period — particularly poignant were the numerous respondents, previously receiving maintenance on a regular basis, who rang the evaluation's toll-free line to ask if something could be done to save their children's Christmas.

Once the initial waiting period has expired, and assuming there are no future problems with location of the payer or the amounts paid, the transfers should occur at regular monthly intervals. The time taken will consequently be of little or no concern in subsequent months, as the period between payments should remain constant.

This was not satisfactory, however, for one respondent who asked rhetorically when she would receive the 7½ weeks' maintenance owing to

her, and commented wryly: 'I certainly won't need it 7½ weeks *after* the children are supporting themselves.

Some custodians interpreted the delays as being intentionally designed to allow the Government to accumulate interest amounts sitting in trust accounts. However incorrect such an assumption may be, its prevalence does nothing to improve parental — or, indeed, community — acceptance of the scheme.

The ACOSS report examined the effect of the eight week delay following reports that hardship was being caused by its operation. One of the recommendations made by ACOSS was that:

> 'an advance payment should be made on the first Wednesday after the end of the first liability period and the last payment, due to the custodial parent when the child turns 18, be retained by DSS as repayment.' (p.35)

This recommendation has financial implications for the Commonwealth, and there would be problems if, for example, the non-custodial parent defaults. However, the existing time lag imposes a substantial hardship on a significant number of custodial parent registrants (some 44.8 per cent of early entrant custodial parent respondents reported receiving some regular pre-Scheme maintenance, see Table 6.3).

As noted earlier, the early entrant sample was acquired in order to identify *problems*. The time lag is certainly one. To note the fact that many custodial parents were less well off at Christmastime is not to deny the obvious — many more were then receiving maintenance for the first time or for the first time in years.

The eight week delay is built into the procedures of the *Child Support (Registration and Collection) Act* and therefore can only be altered by appropriate amendments. However, orders made after June 1988 have been taking an average of between three and four months to be registered with the Agency, thus producing an additional delay for many custodial parents. The reasons for this are as yet unclear. It appears that in some cases lawyers have misunderstood their roles in the registration process and have waited unnecessarily — sometimes for several months — for *sealed* copies of orders, and only on their receipt have they begun the registration process. In some other cases, it has become apparent that the orders will never be registered, and because of inadequate information the Child Support Agency is unable to identify the parties (see next section). This issue will be pursued in the next phase of the evaluation. Obviously, the combination of a lengthy pre-registration delay and the eight week post-registration delay prior to the first payment must be causing financial distress for a number of custodial parents.

Liaison Issues

The success of Stage One of the Child Support Scheme depends on liaison between the court system as well as the Child Support Agency and DSS, which has obviously been lacking in a number of cases. Some early registrants who were paying maintenance through the courts experienced difficulties. One father reported that the Child Support Agency had fined him for being in arrears, but he claimed that neither he nor the court to which he had been transmitting regular child maintenance was aware that he was supposed to pay to the Agency.

Another complained about the confusion caused by his advance fortnightly court payments for $100, which were converted with Child Support Agency registration to monthly amounts of $217.45 payable in arrears. Because of the different practices and time frames, this respondent claimed that his former wife received no money for 10 weeks.

One serious problem which has emerged is the failure of several thousand separating parents to notify the Child Support Agency of their court order or approved agreements, and the Child Support Agency's inability to trace these people from copies of the orders sent to them by the appropriate courts. In these cases the court's documentation has alerted the Child Support Agency to the missing payer/payee registration, but the court forms have insufficent or inaccurate (particularly re addresses) information, to enable the parents to be traced.

Summary

Two particular problems have been identified by the CSSE early registrants: (a) the time lag between registration and the receipt of maintenance and (b) a high degree of uncertainty, particularly among custodial parents, about how the scheme actually operates and how it affects them.

Non-custodial parents also expressed concern about having their workplace involved in maintenance collection. Fifty-seven per cent reported that they did not have enough income to pay the maintenance ordered or agreed.

The major additional custodial parent concern was that they wanted nothing to do with the other parent, something which could have obvious implications for access arrangements.

When asked directly how satisfied they were with assistance provided by various relevant agencies, only 50 per cent of custodial parents expressed satisfaction with help from the Department of Social Security. This would seem to suggest something of a problem for the Department to address.

7

Further Research

Gregg Snider

The final evaluation report is scheduled to be submitted to the Child Support Evaluation Advisory Group by the end of December 1990, following analysis of a second wave of questionnaires, to be mailed in April. This chapter examines three particular aspects of the work to be done in the period leading up to the final report:

1 Wave II sampling and response rates;
2 How it is proposed to answer specific research questions put in the initial evaluation proposal and others which have arisen since; and
3 The format of the Final Report.

Wave II Sampling and Response Rates

Three samples are to be mailed questionnaires in April 1990: the pre-Scheme sample sent questionnaires in 1988 (custodial parents, non-custodial parents and control group respondents); a representive sample of those registered with the Child Support Agency (custodial parents and non-custodial parents); and employers involved in the withholding of maintenance via the tax system. The representative sample of registrants might, in fact, be viewed as three separate samples (or a single stratified sample) since adequate numbers will be required of three separate classes of registrants: (1) those who are paying/receiving maintenance through the scheme; (2) those who are parties to active cases but who are not paying/receiving maintenance through the scheme; and (3) those who have opted out. In addition, although strictly speaking not registrants, a fourth subsample will be drawn from Child Support Agency information of those with recent awards but who have failed to register with the Agency.

Pre-Scheme Sample

As part of the pre-scheme questionnaire mailed to Family Allowees on our behalf by the Department of Social Security, custodial parent and control group respondents were asked to supply their own names and addresses, so that they might be reinterviewed at a later date. As discussed in Chapter One, custodial parent respondents were asked to supply also the names and addresses of their former partners. Names and addresses were obtained for 2673 custodial parent respondents, 1369 control group respondents and 1040 non-custodial parents (of whom, 204 responded).

Letters were sent just prior to Christmas 1989 to those who provided sufficient detail (including non-responding non-custodial parents), advising them of the next scheduled wave of questionnaires and asking them to let the Institute know of any change of address. Some of those to whom these letters were mailed have changed addresses already and have not been able to be contacted, some custodial and non-custodial parents have reconciled with their former partners and are now out of scope, in some cases their children have turned 18 years of age, some have died.

Those who remain in scope (which, of course, includes all control group respondents) and for whom the AIFS retains current addresses, will be mailed second wave questionnaires in April. Given the difficulty in locating pre-scheme non-custodial parents and their low response rate, it is proposed that questionnaires will be mailed even to those who failed to respond to Wave I questionnaires.

Two follow-up letters will be mailed at three-weekly intervals to all non-respondents to the Wave II questionnaire. Non-custodial parents who responded to the Wave I questionnaire but by July have not responded to the second questionnaire will be contacted by telephone and encouraged to reply.

Representative On-Scheme Sample

The early entrant sample discussed earlier in this interim report was sent questionnaires, primarily, in order to isolate early any problems faced by the scheme's introduction. Since it was not assumed that it would be representative of the Child Support Agency's long-term clientele, no provision was made to seek respondents' names and addresses for mailing Wave II questionnaires. Nor, given the limited use to which the data were to be put, were any follow-up procedures employed to increase response rates.

In the event 1940 (32 per cent) custodial parents and 817 (14 per cent) non-custodial parents returned completed questionnaires. The absolute numbers of respondents were sufficient for analysis; however, the relatively low proportion of non-custodial parents responding — together with the apparent likelihood of greater non-custodial parent response among those

actually paying maintenance pre-scheme — suggests that particular attention should be paid during the second wave of mailouts to non-custodial parent response rates. [Against this, concern should not be overly-exaggerated: non-custodial parent circumstances and attitudes are less significant than are custodial parents' to the Child Support Scheme's basic purpose of helping *children* and, indirectly, custodial parents; and, while it is only an impression, data earlier presented — c.f., Chapter Five — suggest that differences between custodial and non-custodial parents are far more significant than are differences between different segments of the custodial or non-custodial parent populations which may be over- or under-represented in the samples.]

Follow-up procedures with Child Support Agency registrants must take into account strict confidentiality constraints. These are further complicated when there is a need to be able to match up former partners' questionnaires when returned.

These problems were overcome for the early entrant sample by taking the following steps:

1 custodial and non-custodial parent questionnaires were assigned sequential identification numbers and placed in individual envelopes;
2 custodial and non-custodial parent questionnaires with matching identification numbers were packaged in pairs in a, further, outside envelope;
3 taking one pair at a time, the Child Support Agency then addressed the individual envelopes and posted them on the Institute's behalf.

Since follow-up action was never intended with this sample, there was no need for the Institute's identification numbers to relate in any way to identification numbers maintained on the Child Support Register or the Child Support Agency's computer systems. It was only important that former partners' responses be able to be matched.

Effective follow-up action, however, requires identification of non-respondents (a blanket coverage of all potential respondents — 'you may or may not have already responded, but ...' — can help; but will not be as effective and may confuse or annoy those who have responded.)

The basic problem is one of cross-reference. The solution will be both manual and computerised. Following discussion with the Child Support Agency of possibilities for the secondment of AIFS staff to the Agency should they be required and further examination of the computer and coding systems employed by both the Agency and the evaluation, the following procedures are proposed:

1 when the Child Support Agency creates on its computer system the data set(s) containing registrant name and address information, an identification number should be provided (it could simply be sequential within the sample and completely unrelated to the Child Support Agency registration identification number);
2 the AIFS would provide sufficient numbers of questionnaires to the Agency;
3 when preparing to mail the questionnaires, the Agency would not only

affix an address label to the envelope, but also label the questionnaires with the appropriate (sample) identification number;

4 at appropriate times, in preparation for sending follow-up letters to non-respondents, the AIFS could provide the Agency (either in hardcopy or in machine-readable form) a list of respondent identification numbers; so that

5 by deleting from its mailout those so identified, the Child Support Agency could mail follow-up letters just to those who had failed to respond.

Two follow-up letters should, as with the pre-Scheme sample, provide optimal response.

Cover letters

For the early entrant sample, cover letters providing information and soliciting responses were signed by the Australian Commissioner of Taxation in his capacity as Child Support Registrar. It could be argued, on the one hand, that the Registrar's authority might be seen as threatening or off-putting, thereby reducing response rates, especially of non-custodial parents. It could, however, be argued with equal strength that the Commissioner's authority encourages response by suggesting that filling in and returning the questionnaire is compulsory in the same sense as it is for most other forms received from the Taxation Office.

For the initial mailout to the representative on-scheme sample, it is proposed that one half of the cover letters be signed by the Commissioner, Mr Boucher and that the other half be signed by the Institute's Director, Dr Edgar. Establishing from early responses which appears to be the most efficacious would then determine who was to sign the follow-up letters.

Names and addresses

Since there was no intention of retaining the early entrant sample for the second mailout, no respondent names and addresses were asked for. Recognising that answering any of the questions is optional, it is nonetheless possible that soliciting such information might depress response rates to a certain extent. The only real need for this information is to assist with the acquisition of further information from these respondents.

As it evolved, the longitudinal design for the Stage One evaluation would have involved a third mailout, a second to the representative on-Scheme sample (see Figure 7.1). Eventual funding considerations precluded this. That is, no further mailout to this sample is planned for the Stage One evaluation. Names and addresses, therefore, need not be sought for the current evaluation.

On the other hand, should the Institute take part in the evaluation of Stage Two, it is reasonable to assume that this sample would be retained for later comparison with Stage Two registrants.

Figure 7.1: Original longitudinal sampling plan*

Sample	Wave I	Wave II	Wave III
Pre-Scheme Control	X ----------	X ----------	X
Pre-Scheme Custodial	X ----------	X ----------	X
Pre-Scheme Non-Custodial	X ----------	X ----------	X
Early Entrant Custodial	X		
Early Entrant Non-Custodial	X		
Representative Custodial		X ----------	X
Representative Non-Custodial		X ----------	X
Employers		X	

* Wave III mailouts have been dropped from the Stage One evaluation. Whether they are to be incorporated into any Stage Two evaluation has not yet been considered.

Given the minimal likely reduction in response rate that would arise from seeking respondents' names and addresses and the likely utility of such information for any Stage Two work, it is proposed at this stage to seek this information from representative on-scheme respondents.

Employer Sample

A brief questionnaire will be sent to employers involved in automatic withholding of maintenance through the Child Support Scheme. Initially, some thought that employers might complain about maintenance collection. This would not now appear to be the case. On the other hand, it is important to verify this fact and to identify what, if any, problems are being encountered.

Format of the Report

The final results of this evaluation will be presented in two parts: a report to the Child Support Evaluation Advisory Group addressing the specific aspects outlined in the initial proposal as discussed in the previous section, to be submitted by 31 December 1990; and, secondly, a report for publication in 1991 which will go beyond the scope of the evaluation *per se* — that is, which reflects the Institute's larger research and public information functions.

Matters of genuine interest to family researchers and policy makers have arisen in discussions both within the Institute and with members of the Steering Committee which are, strictly speaking, beyond the scope of the child support scheme evaluation but which might be addressed through re-analysis of data collected in the course of the evaluation. Other matters logically follow from the evaluation but are seen to be beyond it — for example, defining the scope of the problems suggested in Chapter Six is a

legitimate concern of the evaluation; going beyond that, when seeking solutions to, perhaps, examine internal working practices and programs of Departments and Agencies, while well within the Institute's research ambit, was specifically excluded from the evaluation's research proposal. Such matters will not be examined in the report of the evaluation, but will be in the later Institute publication. Rather than publish the report itself, it is intended to incorporate it into that later publication. Designed for a wider professional and community audience than is the report, parts will be edited and re-cast prior to publication.

Summing up, the final report of the evaluation will be submitted to the Group at the end of December. A publication drawing from and expanding upon that report and presenting additional analysis will be prepared in 1991.

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Settling Up

Property and Income Distribution on Divorce in Australia

Edited by Peter McDonald
Australian Institute of Family Studies

Based on the most comprehensive study of divorced people ever undertaken in Australia, *Settling Up* shows that while the majority of couples settle property matters out of court with a minimum of conflict, there are long-term economic disadvantages for many. The study of 825 people shows that women were financially worse off after divorce than their husbands.

The book is a wide-ranging and thorough account of divorced people's experience — not just of the legal process and the property division, but of the personal and emotional effects.

Prentice-Hall of Australia, Sydney, 1986, 340 pages.
Price $34.95 from AIFS includes postage and handling.

Who Pays For The Children? provides a systematic look at the situation of child maintenance in Australia before the introduction in mid-1988 of Federal Government reforms — namely, Stage One of the Child Support Scheme. It also presents the first impressions and experiences of several thousand parents who registered with the new Child Support Agency. Under the Scheme, the Agency collects payments directly from non-custodial parents or via their employers. The money is then sent monthly to custodial parents.

To help gauge the effectiveness of the reforms, the Australian Institute of Family Studies conducted a major survey of parents to investigate the extent to which child maintenance had been sought, obtained and paid before the reforms came into operation.

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This book is essential reading for all those concerned with economic support for children and methods of ensuring that the many thousands of Australian children whose parents separate each year are better provided for.

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